Notice of **Public Hearing**

Aviso de Audiencia Pública • 공청회통지
Abiso ng Pagdinig sa Publiko • 公開聽證會通知
Հանրային լսումների մասին ծանուցագիր

311

Traducción
번역 • 翻译
Pagsasalin
Թարգմանություն

LOS ANGELES CITY PLANNING

August 24, 2021 after 4:30 p.m.

Central Area Planning Commission

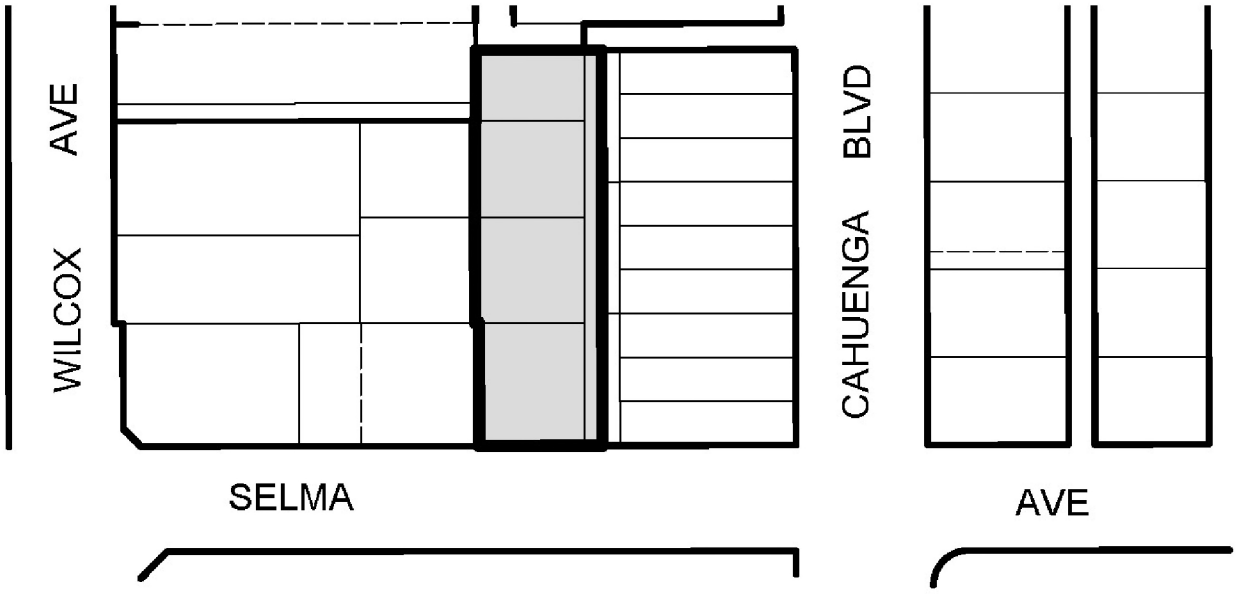
The meeting's agenda will be provided no later than 72 hours before the meeting at **planning4la.org/hearings**. Please note that virtual meeting instructions will be provided on the meeting agenda.

In conformity with the Governor's Executive Order N-29-20 (3/17/20) and as a result of COVID-19, this public hearing will be conducted telephonically and will allow for remote public comment.

Options to Participate:
By phone: 1 669 900 9128 US (San Jose)1 213 338 8477 US (Los A
When prompted, enter the Meeting ID: 886 9932 0908

With a PC, MAC, iPad, iPhone, or Android, click on this URL:
https://planning-lacity-org.zoom.us/j/88699320908
Enter Meeting ID: 886 9932 090 and Passcode: 883963

You will be auto-muted when entering the meeting. To comment on an agenda item, click the raise hand icon (Webinar) or press *9 (Phone) to "raise your hand" virtually following staff calling the item.



Project Address

Sitio de Proyecto
프로젝트 주소 • 項目地址
Address ng Proyekto
ծրագրի Հասցե

6415-6419 West Selma Avenue

Proposed Project

Proyecto Propuesto
프로젝트 제안 • 擬議項目
Iminungkahing Proyekto
Առաջարկվող ծրագիր

Plan Approval to modify conditions of approval to reflect a 14,427 square-foot increase in the total floor area (from 79,376 square feet to 93,803 square feet), including a 1,450 square-foot increase in the total commercial floor area (from 4,581 square feet to 6,031 square feet), and the removal of all on-site automobile parking spaces, in conjunction with the expansion and continued operation of an existing hotel.

Actions Requested

Acciones solicitadas • 요청 된 작업 • 所要求的事項 • Humiling ng Mga Pagkilos • Հայցվող գործողությունները

Appeal of the Zoning Administrator's determination dated February 26, 2021 which:

1. Determined based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 and there is no substantial evidence demonstrating that an exception to a categorical exemption pursuant to the State CEQA Guidelines, Section 15300.2 applies;

2. Dismissed, pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27 U, a Plan Approval to:

a. modify the grant and Condition No. 7 by approving a total floor area of 93,803 square feet from the 79,367 square feet originally granted in lieu of the otherwise permitted 73,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381;
b. modify the grant by approving a total commercial floor area of 6,031 square feet from the 4,581 square feet originally granted in lieu of the originally approved 17,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381; and
c. modify Condition No. 7 to recognize a new total lot area of 16,173 square feet in lieu of 13,923 square feet originally cited;

3. Approved, pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27 U, a Plan Approval to modify Condition No. 7 to allow automobile parking spaces to be provided off-site by lease agreement in lieu of covenant and agreement; and

4. Adopted the Conditions of Approval and Findings.

Case Information

Información del caso • 케이스 정보 • 案例資訊 • Impormasyon sa Kaso • Տեղեկություններ գործի վերաբերյալ

Case Number(s):
ZA-2013-3504-ZV-PA1-1A

Related Case Number:
ZA-2013-3504-ZV-PA1
ZA-2013-3504-ZV

Zone:
(T)(Q)C4-2D

Land Use Designation:
Regional Center Commercial

Council District:
13 - O'Farrell

Applicant:
6417 Selma Holdings, LLC

Applicant Representative:
Alfred Fraijo, Jr., Sheppard Mullin Richter & Hampton, LLP

Appellant:
Casey Maddren, Citizens for a Better LA

Appellant Representative:
None

Overlays:
None

Environmental Case Number(s):
ENV-2018-7559-CE

Community Plan Area:
Hollywood

Assigned Staff Contact Information:
Oliver Netburn, City Planner
Oliver.Netburn@lacity.org
(213) 978-1382
200 North Spring Street, Room 763
Los Angeles, CA 90012

Who's Receiving This Notice

Quién recibe este aviso • 본통지를받은사람들 • 誰會收到此通知
Sino ang Tumatanggap ng Paunawang Ito • Սույն ծանուցագիրը ստացող կողմը

You are receiving this notice either because you live on or own property that is on a site abutting where a project application has been filed with the Department of City Planning, or because you requested to be added to the interested parties list. You are invited to attend this hearing to learn more about the proposed project and offer feedback. If unable to attend, you may contact the planner to provide written comment, obtain additional information, and/or review the project file.

General Information - Visit our website at planning4la.org/hearings for general information about public hearings and the exhaustion of administrative remedies.

File Review - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. Files are not available for review the day of or day before the hearing.

Agendas And Reports - Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

Testimony And Correspondence - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

Requirements For Submission Of Materials - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

Please see revised submission guidelines below which have been modified in order to accommodate the conduct of the public hearing telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020).

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be submitted no later than **48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting)**. Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.
- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "File Copy. Non-complying Submission". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

Exhaustion Of Administrative Remedies And Judicial Review - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Accommodations - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. To request a reasonable accommodation, such as translation or interpretation, please contact the Commission Executive Assistant at (213) 978-1128 the Commission Office Main Line at (213) 978-1300 or by email at apccentral@lacity.org a minimum of 3 days (72 hours) prior to the public hearing. Be sure to identify the language you need English to be translated into and indicate if the request is for oral interpretation or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.

MASTER APPEAL FORM

WITH ATTACHMENTS

ZA-2013-3504

APPLICATIONS:

APPEAL APPLICATION

Instructions and Checklist

Related Code Section: Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

Purpose: This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

A. APPELLATE BODY/CASE INFORMATION

1. APPELLATE BODY

☑ Area Planning Commission ☐ City Planning Commission ☐ City Council ☐ Director of Planning
☐ Zoning Administrator

Regarding Case Number: ZA 2013-3504(ZV)(PA1)

Project Address: 6415-6419 West Selma Avenue

Final Date to Appeal: 03/15/2021

2. APPELLANT

Appellant Identity: (check all that apply)
❒ Representative ❒ Property Owner
❒ Applicant ❒ Operator of the Use/Site

☑ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
Casey Maddren

☐ Person affected by the determination made by the **Department of Building and Safety**

❒ Representative ❒ Owner ❒ Aggrieved Party
❒ Applicant ❒ Operator

3. APPELLANT INFORMATION

Appellant's Name: Casey Maddren

Company/Organization: Citizens for a Better LA

Mailing Address: 2141 Cahuenga Blvd., Apt. 17

City: Los Angeles State: CA Zip: 90068

Telephone: (323) 462-7804 E-mail: cmaddren@gmail.com

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?

☐ Self ☑ Other: Citizens for a Better LA

b. Is the appeal being filed to support the original applicant's position? ☐ Yes ☑ No

4. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____. Zip: _____

Telephone: _____ E-mail: _____

5. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☑ Entire ☐ Part

b. Are specific conditions of approval being appealed? ☐ Yes ☑ No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- ☐ The reason for the appeal
- ☐ How you are aggrieved by the decision
- ☐ Specifically the points at issue
- ☐ Why you believe the decision-maker erred or abused their discretion

6. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: _____ Date: 3-8-21

GENERAL APPEAL FILING REQUIREMENTS

B. ***ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES***

1. Appeal Documents

a. Three (3) sets - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- ☐ Appeal Application (form CP-7769)
- ☐ Justification/Reason for Appeal
- ☐ Copies of Original Determination Letter

b. Electronic Copy

- ☐ Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- ☐ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- ☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

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C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)

1. Density Bonus/TOC
Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

NOTE:
- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.

- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

D. WAIVER OF DEDICATION AND OR IMPROVEMENT

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

NOTE:
- Waivers for By-Right Projects, can only be appealed by the owner.

- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

E. TENTATIVE TRACT/VESTING

1. Tentative Tract/Vesting - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

☐ Provide a copy of the written determination letter from Commission.

F. BUILDING AND SAFETY DETERMINATION

☐ **1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

b. Notice Requirement
☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

☐ **2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

a. Appeal Fee
☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

b. Notice Requirement
☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

G. NUISANCE ABATEMENT

1. **Nuisance Abatement** - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:
- Nuisance Abatement is only appealable to the City Council.

a. **Appeal Fee**
☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

2. **Plan Approval/Compliance Review**
Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

a. **Appeal Fee**
☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.*

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This Section for City Planning Staff Use Only		
Base Fee: 89	Reviewed & Accepted by (DSC Planner): NOAH MCCOY	Date: 3/10/2021
Receipt No: 100321ED2-B0DC8578	Deemed Complete by (Project Planner):	Date:
☐ Determination authority notified	☐ Original receipt and BTC receipt (if original applicant)	

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REASONS FOR THE APPEAL

6415-6419 West Selma Avenue

Case No. ZA 2013-3504(ZV)(PA1)

CEQA: ENV-2018-7559-CE

The Reason for the Appeal

The zone variance is an illegal, after-the-fact approval of a significant modification to the approved project. The April 4, 2014 determination letter issued for this project specifically included the requirement for 77 on-site parking spaces and 14 off-site parking spaces. The 77 on-site spaces were never built.

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. The required findings cannot be made to support this variance.

The granting of the categorical exemption is illegal. The requested increase in square footage from 79,367 sq, ft. to 93,803 sq. ft. has already taken place, as the applicant chose not to build the 77 on-site parking spaces as part of the approved project. The granting of the zone variance is merely an after-the-fact approval of the applicant's illegal action. The Project is not exempt from CEQA pursuant to CEQA Guidelines, Section15301, Class 1, because it results in the addition of over 10,000 sq. ft. to the project.

Also, contrary to the ZA's claim that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines applies, there is substantial evidence in the record showing that this project is just the latest in a series of piecemealed approvals related to Relevant Group's larger hotel complex. An exception under Section 15300.2 of the State CEQA Guidelines does apply with regard to cumulative impacts. Appellant's May 4, 2020 letter regarding this project sent to the Department of City Planning contains substantial evidence proving that these hotels are part of a larger hotel/nightlife complex created by Relevant Group, which has illegally submitted separate applications for these related projects, avoiding review of cumulative impacts under CEQA.

How You Are Aggrieved by the Decision

As a Hollywood resident, I frequently have business in or pass through the area where the project is situated. Because the project applicant long ago decided to illegally omit required parking from the project, this has increased traffic on both Selma and Wilcox, and has also impacted traffic on Cahuenga. Since visitor cars are not parked on-site, but must be driven to other locations in the vicinity, this has caused an increase in vehicle trips and congestion. As a pedestrian this has put me at increased risk, not only from cars driven by hotel staff, but also other drivers who make illegal moves in order to cut through or around congested lanes.

Also, the illegal granting of this zone variance is just the most recent in a long series of illegal actions taken by the project applicant, the Department of City Planning and the City Council. The reckless, slipshod manner in which entitlements have been granted for this project and for related projects constructed by Relevant Group, including the Thompson Hotel, the tommie and Citizen News, undermines the principles of sound planning and has negative impacts on the Hollywood community. The quality of life in the Hollywood area has been and will be further degraded by the City's refusal to acknowledge and consider the substantial cumulative impacts of Relevant's hotel/nightlife complex on the community.

Specifically the Points at Issue

The granting of the zone variance is an after-the-fact approval of an illegal action taken by the applicant during the construction of the project. The five mandated findings to support the granting of the variance cannot be made. The determination is internally inconsistent, as the ZA dismissed the request to expand allowed square footage. By illegally deciding not to build required parking, the applicant has already created the additional requested square footage. The determination does not acknowledge this.

Mandated Findings

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Below is a list of the required findings with an explanation of how the ZA has erred/abused discretion in each case.

1.
The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

The ZA's findings state, "The applicant finds themselves in a situation where the off-site parking spaces where they anticipate recording covenants and agreements to fulfill their parking requirement are not yet available." The applicants would not be in this situation if they had built the project as approved. They made a conscious decision not to build required on-site parking. The problem the applicants now face was created by the applicants themselves, not by an overly strict application of the zoning code.

The ZA goes on to write, "Condition No. 7 of the grant has been modified to allow a very limited period of time in which all of the project's parking requirement can be provided via lease agreement, so that the applicant is able to secure off-site parking covenants and agreements, all the while ensuring that the required off-street parking is provided." This is a gross misrepresentation. While the ZA claims the parking modification is limited to "a very limited period of time", in fact, the applicants have been illegally resorting to off-site parking since the Dream opened in July 2017. This means that they have, in fact, allowed themselves the freedom to use off-site parking for well over three years. The ZA's failure to acknowledge this fact is a serious misrepresentation which calls into question the validity of the determination letter.

The ZA further states, "On review of the original grant, it does not appear that there was any intent to require that parking spaces be necessarily provided on-site -- only that the required

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number of off-street parking spaces be provided pursuant to the Zoning Code. Condition No. 7 of the grant has been clarified to allow access to existing by-right parking options."

This is false. The terms and conditions listed in the April 4, 2014 determination letter include the following:

> *7. Approved herein is the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of no more than 5.8:1 and a height of 125 feet in ten stories. There will be 182 hotel rooms,* ***77 on-site parking spaces, 14 off-site parking spaces by lease****, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating. [Emphasis added.]*

There is no ambiguity in the April 4, 2014 determination letter. It clearly states the requirement for 77 on-site parking spaces.

The only hardship in this case has been created by the applicants themselves. Far from a strict application of the zoning code, the Department of City Planning has applied the code in an extremely liberal manner for the applicant. The determination letter issued on April 4, 2014 for Case No. ZA 2013-3504(ZV) lists six different variances that were granted to the applicant at that time, including:

- a Variance to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet;
- a Variance to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet;
- a Variance to allow a maximum FAR of 5.8:1 in lieu of FAR of 5 . 3 : 1 ;
- a Variance to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;
- a Variance to allow off-site parking by lease in lieu of a recorded covenant; and
- a Variance from applicable design guidelines for the design of parking facilities per Los Angeles Municipal Code Section 12.21-A,5 and the Los Angeles Department of Building and Safety's Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

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The determination letter specifies that the project is required to have 77 on-site parking spaces and 14 off-site parking spaces. Instead, the applicant decided not to build the required 77 on-site spaces. Inexplicably, on February 14, 2017, the Department of Building and Safety (DBS) issued Supplemental Building Permit No. 13010-10007-03647 to convert parking areas at the 1st and 2nd levels to retail, fitness center, storage, utility rooms, machine rooms, and other uses. This permit was issued approximately 5 months before the project opened as the Dream Hotel, in spite of the fact that the DCP determination letter explicitly notes the requirement of 77 on-site spaces, and the DCP had approved no parking modification for the project.

It should be noted that when the project was originally approved in 2008 (Case No. CPC-2007-3931-ZC-HD-CUB-ZV-SPR) it was required to have 107 parking spaces. That number was later

reduced to 90, and finally to 77 on-site spaces and 14 off-site spaces. Again, rather than insisting on a strict application of the zoning code, the DCP has been very liberal in granting the applicant reductions in required parking. Any hardship that the applicant claims with regard to parking is the result of their having violated the law by failing to build the approved project.

In addition to the parking reductions noted above, the 2008 approval granted a zone change and height district change to allow a FAR of 5.3:1 in lieu of the previously permitted FAR of 2:1. Approvals granted in 2008 also included a variance to permit an increase in the number of compact parking spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius. In spite of the fact that the applicants had already received significant entitlements, including variances with regard to parking, they consciously chose to ignore the approved parking requirements. The current request is an attempt to substantially alter the project after the fact. Granting the variance not only does away with on-site parking requirements, but since parking is not included in calculations of square footage, it significantly increases square footage.

2.
There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

There are no special circumstances applicable to the subject property. The Dream Hotel sits in the middle of a commercially-zoned district in Central Hollywood. Neither the applicant nor the ZA have presented any evidence of special circumstances on the property with regard to size, shape, topography or surroundings that do not apply generally to other properties in the same zone and vicinity. There are no unusual constraints that inhibit the functioning of a hotel.

On page 19 of the determination, the ZA states. "The applicant argues that that the grant and conditions of approval for Case No, ZA-2013-3504-ZV are overly restrictive and specific, only applicable to a project that no longer exists [....]" As stated above, the applicants have already received generous entitlements and numerous variances related to the project. No rational person could argue that the grant and conditions of approval are "overly restrictive and specific", as the applicants have already received considerable relief from code requirements, far beyond anything that has been received by owners of surrounding properties.

The claim that the grant and conditions are "only applicable to a project that no longer exists" is completely mystifying. The Dream Hotel exists. The ZA fails to offer any clarification of what the applicant means by this statement.

3.
Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

It is true that surrounding properties have been granted the ability to provide parking off-site via lease agreement in lieu of covenant, but this is because the vast majority of surrounding structures are non-conforming uses built well before the City imposed parking requirements on new construction. No project similar in scale to the Dream Hotel has been built in recent years without a requirement for on-site parking.

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The owners of surrounding properties have complied with the parking requirements that have been imposed by the City. In this case, the applicants have not complied with the requirements of the 2014 determination letter. Since the Dream Hotel opened in July 2017, they have been illegally using a valet service to park visitors' cars off-site.

If the applicant claims they are dealing with special circumstances or hardships, it is only because they failed to build required on-site parking.

4.
The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Shuttling cars that should have been parked on-site at the Dream Hotel to other locations will increase congestion on the already congested streets surrounding the project. The increased traffic will bring higher risk to pedestrians in the area, especially considering that Selma Park, which contains a children's play area, is just over a block away and that Selma Elementary School is less than two blocks away. Children who walk to/from Selma Elementary or to/from Selma Park will face increased safety hazards as a result of the increased traffic.

The temporary parking arrangement involving a parking lot in Ivar means that cars from the project site will have to cross Cahuenga, which is heavily congested at rush hour and often congested on weekend nights.

The Determination Letter Is Internally Inconsistent

The determination letter is internally inconsistent, as the ZA granted the variance to remove required parking from the site, but dismissed the request to approve a total floor area of 93,803 square feet, increased from the 79,367 square feet originally granted. The applicants' decision not to build required parking automatically increased the project's square footage to 93,803 square feet. The permit issued by Building & Safety to convert required parking to other uses was granted illegally and is in conflict with the approved project. The additional square footage is already part of the hotel. The ZA simply chose to ignore this fact.

Categorical Exemption/CEQA Issues

The granting of the categorical exemption is illegal. The requested increase in square footage from 79,367 sq, ft. to 93,803 sq. ft. has already taken place, as the applicant chose not to build the 77 on-site parking spaces as part of the approved project. The granting of the zone variance is merely an after-the-fact approval of the applicant's illegal action. The Project is not exempt from CEQA pursuant to CEQA Guidelines, Section15301, Class 1. As this Section of the CEQA Guidelines states:

> *The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:*
>
> *(e) Additions to existing structures provided that the addition will not result in an increase of more than:*

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(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet,
whichever is less; or

(2) 10,000 square feet [....]

The applicant's illegal removal of required parking from the approved project has already added about 14,000 sq. ft., well beyond the threshold stated by CEQA. The City is well aware of the increase in square footage. The ZA's decision to dismiss the request for increased square footage ignores the fact that it has already happened. It also makes the determination internally inconsistent, by approving a request to transfer parking off-site while ignoring the fact that this automatically increases square footage.

Also, contrary to the ZA's claim that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines applies, there is substantial evidence in the record showing that this project is just the latest in a series of piecemealed approvals related to Relevant Group's larger hotel complex. An exception under Section 15300.2 of the State CEQA Guidelines does apply with regard to cumulative impacts. First, the original MND for the Dream Hotel, Phase 1 (6417 Selma) analyzed the project including 77 on-site spaces. Second, the determination states that the parking spaces will be accommodated by the Thompson (1541 Wilcox) and the tommie (6516 Selma), two nearby projects built by the same developer, Relevant Group and/or associated LLCs. This makes clear that these hotels are operationally dependent on each other, and are actually part a hotel/nightlife complex that Relevant Group has constructed under the pretense of building separate, unrelated projects.

Appellant's May 4, 2020 letter regarding this project sent to the Department of City Planning contains substantial evidence proving that these hotels are part of a larger hotel/nightlife complex created by Relevant Group, which has illegally submitted separate applications for these related projects, avoiding review of cumulative impacts under CEQA.

Why You Believe the Decision-Maker Erred or Abused Their Discretion

The zone variance is an after-the-fact approval of an illegal action taken by the applicant during the construction of the hotel.

The five legally mandated findings delineated in City Charter Section 562 cannot be made for this zone variance.

The zone variance is internally inconsistent, as the ZA granted the variance to remove required parking from the site, but dismissed the request to approve a total floor area of 93,803 square feet, increased from the 79,367 square feet originally granted. The applicants' decision not to build required parking automatically increased the project's square footage to 93,803 square feet. The permit issued by Building & Safety to convert required parking to other uses was granted illegally and is in conflict with the approved project. The additional square footage is already part of the hotel. The ZA simply chose to ignore this fact.

The Project is not exempt from CEQA pursuant to CEQA Guidelines, Section15301, Class 1, because it results in the addition of over 10,000 sq. ft. to the project.

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The ZA ignored substantial evidence in the record showing that an exception under Section 15300.2 of the State CEQA Guidelines does apply with regard to cumulative impacts. Appellant's May 4, 2020 letter regarding this project sent to the Department of City Planning contains substantial evidence proving that these hotels are part of a larger hotel/nightlife complex created by Relevant Group, which has illegally submitted separate applications for these related projects, avoiding review of cumulative impacts under CEQA.

The determination that this action is exempt from CEQA constitutes piecemealing, as it is just the latest in a series of CEQA-related actions taken by City Planning related to the piecemealed Dream Hotel Phase 1 and Dream Hotel Phase 2, and the larger hotel/nightlife complex consisting of the Thompson Hotel, the tommie and Citizen News restaurant/nightclub.

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Building & Safety Copy
Office: Van Nuys
Application Invoice No: 70751

6800170751

City of Los Angeles
Department of City Planning

Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.

City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit https://planning.lacity.org/pdiscaseinfo/ and enter the Case Number.

Receipt Number:100321ED2-B0DC8578-3F77-4539-A9E3-99C9FE5A7432, Amount:$109.47, Paid Date:03/10/2021

Applicant: CITIZENS FOR A BETTER LA - MADDREN, CASEY (B:323-4627804)
Representative:
Project Address: 6415-6419 W SELMA AVE, 90028

NOTES: APPEAL OF THE ENTIRE DECISION ZA-2013-3504-ZV-PA1 BY AN AGGRIEVED PERSON(S), OTHER THAN THE APPLICANT/OWNER, CLAIMING TO BE AGGRIEVED.

ZA-2013-3504-ZV-PA1-1A			
Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	$89.00	100%	$89.00
		Case Total	$89.00

Item	Charged Fee
*Fees Subject to Surcharges	$89.00
Fees Not Subject to Surcharges	$0.00
Plan & Land Use Fees Total	$89.00
Expediting Fee	$0.00
Development Services Center Surcharge (3%)	$2.67
City Planning Systems Development Surcharge (6%)	$5.34
Operating Surcharge (7%)	$6.23
General Plan Maintenance Surcharge (7%)	$6.23
Grand Total	$109.47
Total Invoice	$109.47
Total Overpayment Amount	$0.00
Total Paid(this amount must equal the sum of all checks)	$109.47

Council District: 13
Plan Area: Hollywood
Processed by MCCOY, NOAH on 03/10/2021

Signature: _____

QR Code is a registered trademark of Denso Wave, Incorporated

ZA-2013-3504

REASONS FOR THE APPEAL

6415-6419 West Selma Avenue

Case No. ZA 2013-3504(ZV)(PA1)

CEQA: ENV-2018-7559-CE

The Reason for the Appeal

The zone variance is an illegal, after-the-fact approval of a significant modification to the approved project. The April 4, 2014 determination letter issued for this project specifically included the requirement for 77 on-site parking spaces and 14 off-site parking spaces. The 77 on-site spaces were never built.

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. The required findings cannot be made to support this variance.

The granting of the categorical exemption is illegal. The requested increase in square footage from 79,367 sq, ft. to 93,803 sq. ft. has already taken place, as the applicant chose not to build the 77 on-site parking spaces as part of the approved project. The granting of the zone variance is merely an after-the-fact approval of the applicant's illegal action. The Project is not exempt from CEQA pursuant to CEQA Guidelines, Section15301, Class 1, because it results in the addition of over 10,000 sq. ft. to the project.

Also, contrary to the ZA's claim that there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines applies, there is substantial evidence in the record showing that this project is just the latest in a series of piecemealed approvals related to Relevant Group's larger hotel complex. An exception under Section 15300.2 of the State CEQA Guidelines does apply with regard to cumulative impacts. Appellant's May 4, 2020 letter regarding this project sent to the Department of City Planning contains substantial evidence proving that these hotels are part of a larger hotel/nightlife complex created by Relevant Group, which has illegally submitted separate applications for these related projects, avoiding review of cumulative impacts under CEQA.

How You Are Aggrieved by the Decision

As a Hollywood resident, I frequently have business in or pass through the area where the project is situated. Because the project applicant long ago decided to illegally omit required parking from the project, this has increased traffic on both Selma and Wilcox, and has also impacted traffic on Cahuenga. Since visitor cars are not parked on-site, but must be driven to other locations in the vicinity, this has caused an increase in vehicle trips and congestion. As a pedestrian this has put me at increased risk, not only from cars driven by hotel staff, but also other drivers who make illegal moves in order to cut through or around congested lanes.

Also, the illegal granting of this zone variance is just the most recent in a long series of illegal actions taken by the project applicant, the Department of City Planning and the City Council. The reckless, slipshod manner in which entitlements have been granted for this project and for related projects constructed by Relevant Group, including the Thompson Hotel, the tommie and Citizen News, undermines the principles of sound planning and has negative impacts on the Hollywood community. The quality of life in the Hollywood area has been and will be further degraded by the City's refusal to acknowledge and consider the substantial cumulative impacts of Relevant's hotel/nightlife complex on the community.

Specifically the Points at Issue

The granting of the zone variance is an after-the-fact approval of an illegal action taken by the applicant during the construction of the project. The five mandated findings to support the granting of the variance cannot be made. The determination is internally inconsistent, as the ZA dismissed the request to expand allowed square footage. By illegally deciding not to build required parking, the applicant has already created the additional requested square footage. The determination does not acknowledge this.

Mandated Findings

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Below is a list of the required findings with an explanation of how the ZA has erred/abused discretion in each case.

1.
The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.

The ZA's findings state, "The applicant finds themselves in a situation where the off-site parking spaces where they anticipate recording covenants and agreements to fulfill their parking requirement are not yet available." The applicants would not be in this situation if they had built the project as approved. They made a conscious decision not to build required on-site parking. The problem the applicants now face was created by the applicants themselves, not by an overly strict application of the zoning code.

The ZA goes on to write, "Condition No. 7 of the grant has been modified to allow a very limited period of time in which all of the project's parking requirement can be provided via lease agreement, so that the applicant is able to secure off-site parking covenants and agreements, all the while ensuring that the required off-street parking is provided." This is a gross misrepresentation. While the ZA claims the parking modification is limited to "a very limited period of time", in fact, the applicants have been illegally resorting to off-site parking since the Dream opened in July 2017. This means that they have, in fact, allowed themselves the freedom to use off-site parking for well over three years. The ZA's failure to acknowledge this fact is a serious misrepresentation which calls into question the validity of the determination letter.

The ZA further states, "On review of the original grant, it does not appear that there was any intent to require that parking spaces be necessarily provided on-site -- only that the required

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number of off-street parking spaces be provided pursuant to the Zoning Code. Condition No. 7 of the grant has been clarified to allow access to existing by-right parking options."

This is false. The terms and conditions listed in the April 4, 2014 determination letter include the following:

> *7. Approved herein is the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of no more than 5.8:1 and a height of 125 feet in ten stories. There will be 182 hotel rooms,* ***77 on-site parking spaces, 14 off-site parking spaces by lease****, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating. [Emphasis added.]*

There is no ambiguity in the April 4, 2014 determination letter. It clearly states the requirement for 77 on-site parking spaces.

The only hardship in this case has been created by the applicants themselves. Far from a strict application of the zoning code, the Department of City Planning has applied the code in an extremely liberal manner for the applicant. The determination letter issued on April 4, 2014 for Case No. ZA 2013-3504(ZV) lists six different variances that were granted to the applicant at that time, including:

- a Variance to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet;
- a Variance to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet;
- a Variance to allow a maximum FAR of 5.8:1 in lieu of FAR of 5 . 3 : 1 ;
- a Variance to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;
- a Variance to allow off-site parking by lease in lieu of a recorded covenant; and
- a Variance from applicable design guidelines for the design of parking facilities per Los Angeles Municipal Code Section 12.21-A,5 and the Los Angeles Department of Building and Safety's Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

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The determination letter specifies that the project is required to have 77 on-site parking spaces and 14 off-site parking spaces. Instead, the applicant decided not to build the required 77 on-site spaces. Inexplicably, on February 14, 2017, the Department of Building and Safety (DBS) issued Supplemental Building Permit No. 13010-10007-03647 to convert parking areas at the 1st and 2nd levels to retail, fitness center, storage, utility rooms, machine rooms, and other uses. This permit was issued approximately 5 months before the project opened as the Dream Hotel, in spite of the fact that the DCP determination letter explicitly notes the requirement of 77 on-site spaces, and the DCP had approved no parking modification for the project.

It should be noted that when the project was originally approved in 2008 (Case No. CPC-2007-3931-ZC-HD-CUB-ZV-SPR) it was required to have 107 parking spaces. That number was later

reduced to 90, and finally to 77 on-site spaces and 14 off-site spaces. Again, rather than insisting on a strict application of the zoning code, the DCP has been very liberal in granting the applicant reductions in required parking. Any hardship that the applicant claims with regard to parking is the result of their having violated the law by failing to build the approved project.

In addition to the parking reductions noted above, the 2008 approval granted a zone change and height district change to allow a FAR of 5.3:1 in lieu of the previously permitted FAR of 2:1. Approvals granted in 2008 also included a variance to permit an increase in the number of compact parking spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius. In spite of the fact that the applicants had already received significant entitlements, including variances with regard to parking, they consciously chose to ignore the approved parking requirements. The current request is an attempt to substantially alter the project after the fact. Granting the variance not only does away with on-site parking requirements, but since parking is not included in calculations of square footage, it significantly increases square footage.

2.
There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

There are no special circumstances applicable to the subject property. The Dream Hotel sits in the middle of a commercially-zoned district in Central Hollywood. Neither the applicant nor the ZA have presented any evidence of special circumstances on the property with regard to size, shape, topography or surroundings that do not apply generally to other properties in the same zone and vicinity. There are no unusual constraints that inhibit the functioning of a hotel.

On page 19 of the determination, the ZA states. "The applicant argues that that the grant and conditions of approval for Case No, ZA-2013-3504-ZV are overly restrictive and specific, only applicable to a project that no longer exists [....]" As stated above, the applicants have already received generous entitlements and numerous variances related to the project. No rational person could argue that the grant and conditions of approval are "overly restrictive and specific", as the applicants have already received considerable relief from code requirements, far beyond anything that has been received by owners of surrounding properties.

The claim that the grant and conditions are "only applicable to a project that no longer exists" is completely mystifying. The Dream Hotel exists. The ZA fails to offer any clarification of what the applicant means by this statement.

3.
Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

It is true that surrounding properties have been granted the ability to provide parking off-site via lease agreement in lieu of covenant, but this is because the vast majority of surrounding structures are non-conforming uses built well before the City imposed parking requirements on new construction. No project similar in scale to the Dream Hotel has been built in recent years without a requirement for on-site parking.

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The owners of surrounding properties have complied with the parking requirements that have been imposed by the City. In this case, the applicants have not complied with the requirements of the 2014 determination letter. Since the Dream Hotel opened in July 2017, they have been illegally using a valet service to park visitors' cars off-site.

If the applicant claims they are dealing with special circumstances or hardships, it is only because they failed to build required on-site parking.

4.
The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Shuttling cars that should have been parked on-site at the Dream Hotel to other locations will increase congestion on the already congested streets surrounding the project. The increased traffic will bring higher risk to pedestrians in the area, especially considering that Selma Park, which contains a children's play area, is just over a block away and that Selma Elementary School is less than two blocks away. Children who walk to/from Selma Elementary or to/from Selma Park will face increased safety hazards as a result of the increased traffic.

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whichever is less; or

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DETERMINATION LETTER

OFFICE OF ZONING ADMINISTRATION
200 N. SPRING STREET, ROOM 763
LOS ANGELES, CA 90012-4801
(213) 978-1318

ESTINEH MAILIAN
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
JACK CHIANG
HENRY CHU
JONATHAN A. HERSHEY, AICP
THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
CHRISTINA TOY LEE

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

LOS ANGELES DEPARTMENT
OF CITY PLANNING
EXECUTIVE OFFICES

VINCENT P. BERTONI, AICP
DIRECTOR

KEVIN J. KELLER, AICP
EXECUTIVE OFFICER

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

planning.lacity.org

February 26, 2021

6417 Selma Holdings, LLC (A)(O)
1605 North Cahuenga Boulevard, Suite 203
Los Angeles, CA 90028

Alfred Fraijo Jr.(R)
Sheppard Mullin Richter & Hampton, LLP.
333 South Hope Street, 43rd Floor
Los Angeles, CA 90071

CASE NO. ZA 2013-3504(ZV)(PA1)
PLAN APPROVAL
6415-6419 West Selma Avenue
Hollywood Community Plan
Zone: (T)(Q)C4-2D
C.D: 13
D.M.: 148-5A187
CEQA: ENV-2018-7559-CE
Legal Description: Arb 2, Lot 11; Arb 2, Lot 12; Arb 2, Lot 13; and Lot 14, Sackett Tract

Pursuant to California Environmental Quality Act, I hereby DETERMINE:

based on the whole of the administrative record, that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15301, Class 1 (Existing Facilities), and there is no substantial evidence demonstrating that any exceptions contained in Section 15300.2 of the State CEQA Guidelines regarding location, cumulative impacts, significant effects or unusual circumstances, scenic highways, or hazardous waste sites, or historical resources applies.

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27-U, I hereby DISMISS:

a Plan Approval to modify the grant and Condition No. 7 by approving a total floor area of 93,803 square feet from the 79,367 square feet originally granted in lieu of the otherwise permitted 73,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381;

a Plan Approval to modify the grant by approving a total commercial floor area of 6,031 square feet from the 4,581 square feet originally granted in lieu of the originally approved 17,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381;

a Plan Approval to modify Condition No. 7 to recognize a new total lot area of 16,173 square feet in lieu of 13,923 square feet originally cited; and

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27-U, I hereby APPROVE:

a Plan Approval to modify Condition No. 7 to allow automobile parking spaces to be provided off-site by lease agreement in lieu of covenant and agreement,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

6. **DELETED. REFER TO CONDITION NO. 11.** ~~The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.~~

7. **MODIFIED.** Approved herein is the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of

no more than 5.8:1 and a height of 125 feet in ten stories. There will be 182 hotel rooms, ~~77 on-site parking spaces, 14 off-site parking spaces by lease,~~ a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating.

a. A maximum of 14 parking spaces are authorized to be provided off-site by lease agreement in lieu of recorded covenant, with the remaining required parking spaces provided in compliance with the Los Angeles Municipal Code.

b. For a limited period of two years, beginning from the effective date of this grant, all required parking may be provided off-site via lease agreement in lieu of covenant and agreement, after which time all parking shall be provided as required in Condition No. 7a.

8. All off-site parking shall be in place including evidence of completed and signed leases prior to issuance of Certificate of Occupancy or other utilization of Zoning entitlements made herein. [As modified by May 9, 2014, Correction Letter]

9. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

10. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

11. **NEW. INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court

costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after **MARCH 15, 2021**, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of

the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at http://cityplanning.lacity.org**. Public offices are located at:

Downtown	San Fernando Valley	West Los Angeles
Figueroa Plaza 201 North Figueroa Street, 4th Floor Los Angeles, CA 90012 (213) 482-7077	Marvin Braude San Fernando Valley Constituent Service Center 6262 Van Nuys Boulevard, Room 251 Van Nuys, CA 91401 (818) 374-5050	West Los Angeles Development Services Center 1828 Sawtelle Boulevard, 2nd Floor Los Angeles, CA 90025 (310) 231-2598

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, and the statements made at the public hearing on June 2, 2020, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

BACKGROUND

The project site is comprised of five parcels (approximately 16,173 square feet of lot area, including the vacated alley adjacent to the site). The Hollywood Community Plan Map designates the property for Regional Center Commercial. The Property is located approximately 500 feet from Hollywood Boulevard, a major transit corridor that is served by the Red Line (Metro Hollywood/Vine Subway Station) and several MTA and LADOT bus lines.

The property is developed with a recently constructed 10-story, approximately 93,803 square-foot, 182-room hotel and commercial building, with no on-site parking.

Properties to the north and south are zoned [Q]C4-2D-SN and C4-2D are improved with one- and two-story commercial uses. Properties to the east are zoned [Q]C4-2D-SN and [Q]C4-2D and are improved with one-, two-, and three-story buildings including commercial, retail, and housing uses with surface parking lots. The property to the west is zoned (T)(Q)C2-2D and is currently under construction for a new hotel with a ground floor restaurant.

Selma Avenue is a designated Local Street dedicated to a variable width of 70 feet at the project's frontage and is improved with curbs, gutters, and sidewalks.

On December 19, 2018, the present Plan Approval request was filed. The applicant has requested the following:

> to modify the grant and Condition No. 7 by approving a total floor area of 93,803 square feet from the 79,367 square feet originally granted in lieu of the otherwise permitted 73,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381;
>
> to modify the grant by approving a total commercial floor area of 6,031 square feet from the 4,581 square feet originally granted in lieu of the originally approved 17,045 square feet in "(Q)" Condition No. 1 of Ordinance No. 180,381;
>
> to modify the grant and Condition Nos. 7 by approving all required on-site parking spaces (95 instead of 91 spaces) to be provided off-site by covenant or lease agreement in lieu of the originally granted 14 automobile parking spaces; and
>
> to modify Condition No. 7 to recognize a new total lot area of 16,173 square feet in lieu of 13,923 square feet originally cited.

According to the information submitted by the applicant:

> Subsequent to Case No. ZA-2013-3504-ZV, the Applicant was issued supplemental permits by the Department of Building & Safety ... As a result of these improvements, the total code-defined floor area for the Project was modified. The total Project floor area increased to 93,803 square feet and the total commercial space increased to 6,031 square feet.
>
> Though the overall Project's floor area increased, the FAR for the Site remained unchanged. At the time of approval of the zone variance, the total lot area was 13,923 square feet. At 79,376 square feet of floor area, the Project at the time had a FAR of 5.8:1.
>
> On January 15, 2016, the City Council approved Case No. VAC-E1401249 ... which approved the vacation of the public alley adjacent the Site, which added half the area of the alley to the Site, or approximately 2,250 square feet. Thus, the total lot area increased as a result of the alley vacation to approximately 16,173 square feet.
>
> With a total lot area of 16,173 square feet and a total floor area of 93,803 square feet, the Project maintains a FAR of 5.8:1.

The LADBS supplemental building permits that modified the building's floor area also resulted in a net increase of floor area that must be parked pursuant to LAMC Section 12.21.A.4. As a result of the permitted improvements, four additional parking spaces were required for the Project, thus increasing the total required parking from 91 to 95 auto spaces for all uses.

... As discussed above, Building Permit Nos. 13010-10006-03647 and 13010-10007-03647 resulted in an increase of 4 auto parking spaces. Thus, a total of 95 parking spaces are required, with 75 parking spaces to be provided on-site and 14 spaces off-site by lease agreement. Of the 95 total parking spaces, 16 spaces are satisfied by the construction of 64 bicycle parking spaces pursuant to LAMC Section 12.21.A.4. Meaning the Project is required to physically provide a total of 79 auto parking spaces, where 14 are provided off-site by lease agreement.

Pursuant to LAMC Section 12.21.A.4(g) and LAMC Section 12.26.E.5, the 65 auto parking spaces to be provided on-site will be provided within 750-feet of the Site by ministerial approval of a parking covenant by LADBS ...

However, while the Applicant intends to provide off-site parking by covenant at the specified parking facilities, these facilities are currently under construction and are unable to be encumbered by a covenant due to LADBS policy that requires a Certificate of Occupancy be issued prior to approving the parking covenants. Thus, in order to satisfy the Project's parking requirements, the Applicant is requesting to increase the number of parking spaces provided off-site by lease agreement from 14 spaces to required parking, or a total of 79 spaces off-site by lease agreement in lieu of covenant. Upon issuance of the Certificates of Occupancy for the nearby parking facilities, the Applicant will move 65 of these spaces to the two specified parking facilities, or other qualified parking facility as determined by LADBS.

Covenant or Lease	Location	Number of Parking Spaces
N/A	On-Site (6417 Selma Avenue)	1 (ADA)
Covenant	1541 Wilcox Avenue; 6516 Selma Avenue; or other eligible location as determined by LADBS	65 spaces
Lease	1528 Ivar Street	79 spaces temporarily; 14 spaces after CofO issued for above facilities
TOTAL		**79 spaces**

Relevant Previous Cases, Affidavits, Permits, and Orders on the Subject Property

Permit No. 13010-10007-03647 – On February 14, 2017, the Department of Building and Safety issued a supplemental building permit to convert parking areas at levels (1st story and 2nd story levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces, to document FAR, building area, parking. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

Permit No. 13010-10006-03647 – On December 7, 2016, the Department of Building and Safety issued a supplemental building permit to "[r]evise roof top restaurant configuration; and additional covered floor area". On June 30, 2020, a Temporary Certificate of Occupancy was issued.

VAC-E1401249 - On October 25, 2016, City Council approved (CF 14-1089) the vacation of the alleyway adjacent to the subject property, returning approximately 2,250 square feet of lot area (one-half of Lot C, Sackett Tract) to the subject property owner.

Permit No. 13010-10000-03647 – On July 10, 2014, the Department of Building and Safety issued a building permit for a 10-story hotel building; parking, equipment and utility rooms, trash and recycle rooms at 1st and 2nd story levels, guest rooms from 3 to 9 story levels, with roof top stairway and elevator rooms; 10 story level core and shell. A Temporary Certificate of Occupancy has been issued.

Case No. ZA 2013-3504-ZV – On May 9, 2014, the Zoning Administrator issued a Correction Letter, correcting Condition No. 8 of the grant to read as follows:

> 8. All off-site parking shall be in place including evidence of completed and signed leases prior to issuance of a Certificate of Occupancy ~~any building permits~~ or other utilization of zoning entitlements made herein.

Case No. ZA 2013-3504-ZV – On April 4, 2014, the Zoning Administrator approved a Variance from "Q" Condition No. 1 of Ordinance No. 180,381 to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet; a Variance from "Q" Condition No. 3 of Ordinance No. 180,381 to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet; a Variance from "Q" Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR of 5.3:1; a Variance from "Q" Condition No. 7 of Ordinance No. 180,381 to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces; a Variance from Section 12.26-E,5 to allow off-site parking by lease in lieu of a recorded covenant; and a Variance from applicable design guidelines for the design of parking facilities per Los Angeles Municipal Code Section 12.21-A,5 and the Los Angeles Department of Building and Safety's Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

Permit No. 13019-10000-03019 – On January 06, 2014, the Department of Building and Safety issued a building permit for the demolition of a two-story parking garage.

Case No. ZA 2012-039-CUB – On June 13, 2012, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site

consumption in conjunction with a 3,220 square-foot restaurant bar/lounge accommodating 120 seats.

Case No. DIR-2010-2962-CLQ – On November 23, 2010, the Director of Planning approved the requested Clarification of "Q" Conditions A1, A3, A6, and A7 of Ordinance 180381.

Case No. CPC-2007-3931-ZC-HD-CUB-ZV-SPR – On July 24, 2008, the City Planning Commission Approved and Recommended that the City Council adopt a Zone and Height Change from C4-2-D-SN to (T)(Q)C4-2-SN to remove a "D" limitation of 2:1 and allow a FAR of 5.3:1; a Conditional Use to permit the on-site sale and consumption of a full line of alcoholic beverages with live entertainment; approved a variance to permit outdoor dining and alcohol consumption on the eighth floor, and a variance to permit an increase in the number of compact parking spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius.

Previous Relevant Cases, Affidavits, Permits, and Orders on Surrounding Properties (since 2000)

Case No. ZA 2020-2569-ZV – On April 16, 2020, an application for a Zone Variance to permit waiver of all on-site parking requirements in conjunction with an existing hotel, located at 1550 North Wilcox Avenue.

Case No. ZA 2019-1326-CUB-ZV – On April 9, 2020, the Zoning Administrator approved a conditional use to permit the continued sale and dispensing of a full line of alcoholic beverages for on-site consumption, in conjunction with an existing restaurant/bar in the C4-2D-SN Zone; and, a variance to allow parking to continue to be provided within 750 feet of the establishment by lease in lieu of by recorded covenant as otherwise required by LAMC Section 12.26E.5, located at 1607 North Cahuenga Boulevard (1601-1607 North Cahuenga Boulevard, 6405-6407 West Selma Avenue).

Case No. ZA 2019-2154-CUB-ZV – On October 11, 2019, the Zoning Administrator approved a Conditional Use Permit to allow the sale and dispensing of beer and wine in conjunction with a proposed restaurant C4-2D-SN Zone; and a Zone Variance to allow amusement enterprises (arcade) in conjunction with a proposed restaurant and arcade located in the C4 Zone, located at 1553 North Cahuenga Boulevard.

Case No. ZA 2014-4690-CUB-ZV – On March 13, 2019, the Zoning Administrator approved a Zone Variance to allow parking to be provided within 750 feet of the establishment by lease in lieu of by recorded covenant as otherwise required by LAMC Section 12.26 E.5; and, a Conditional Use to allow the sales and dispensing of a full-line of alcoholic beverages for on-site consumption and off-site delivery sales of beer and wine in conjunction with the continued operation and maintenance of an existing restaurant; a Conditional Use to allow the operation of an existing restaurant in a mini-shopping center for 24 hours, daily, located at 1608 North Cahuenga Boulevard.

Case No. ZA 2016-498-CUB-ZV – On June 16, 2016, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a restaurant in the C4-2D-SN Zone, and a Variance

from LAMC Section 12.26-E,5 to permit up to 20 required parking spaces to be provided off-site via lease in lieu of a covenant and agreement, located at 1611-1615 Cahuenga Boulevard.

Case No. ZA 2014-3016-CUB-ZV – On January 29, 2015, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a proposed ground floor restaurant and rooftop restaurant within an existing hotel in the C4-2D Zone, a Conditional Use to permit in-room alcohol access cabinets (minibars) within hotel guest rooms, a Zone Variance to permit the five (5) required parking spaces to be provided offsite within 750 feet by lease in lieu of covenant as required pursuant to Section 12.26-E.5; a Zone Variance to permit an approximately 144 square foot roof sign to be located on a flat roof in lieu of a sloping roof as required by Section 14.4.13-D,3, located at 6500 West Selma Avenue (6506-6514 West Selma Avenue; 1557 North Wilcox Avenue).

Case No. ZA 2012-3049-CUB-ZV – On October 22, 2013, the Zoning Administrator approved a Conditional Use Permit authorizing the sale and dispensing of a full line of alcoholic beverages for on-site consumption within a 3,400 square feet restaurant; and a Variance from Section 12.26-E granting up to 40 off-site parking spaces through a lease in lieu of recorded covenant, located at 1623-1623½ North Cahuenga Boulevard.

Case No. ZA 2013-0601-CUB-CUX-ZV – On August 15, 2013, the Zoning Administrator approved a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new restaurant in the C4-2D-SN Zone; dismissed a conditional use to allow live entertainment in the C4 zone in conjunction with a new restaurant as a conditional use is only required for dancing which is not proposed while live entertainment is not subject to a conditional use permit; approved a conditional use to permit hours of operation from 10:00 a.m. to 2:00 a.m. daily, in lieu of hours of operation from 7:00 a.m. to 11:00 p.m. otherwise permitted by the Commercial Corner provisions; and a zone variance to allow the required parking to be located off-site by a lease agreement in lieu of a covenant as otherwise required by L.A.M.C. Section 12.26-E,5, located at 6500 Hollywood Boulevard.

Case No. ZA-2012-1133-ZV - On March 5, 2013, the Zoning Administrator approved a variance from the Los Angeles Municipal Code 12.26-E,5 to permit six required parking spaces to be provided off site within 750 feet from the subject restaurant by lease in lieu of a covenant as otherwise required, located at located at 1607 North Cahuenga Boulevard (1601-1607 North Cahuenga Boulevard, 6405-6407 West Selma Avenue).

Case No. ZA 2011-1473-CUB-ZV – On October 3, 2011, the Zoning Administrator approved a Conditional Use to permit the continued sale of a full line of alcoholic beverages for on-site consumption within a 6,650 square-foot restaurant in the C4-2D-SN Zone, and a variance from LAMC Section 12.26-E,5 to permit the required 14 parking spaces to continue to be provided off-site within 750 feet secured through a lease agreement in lieu of a covenant as otherwise required, located at 1613 Cahuenga Boulevard.

Communications Received Prior to the Public Hearing

Thaddeus Hunter Smith – In an email dated May 31, 2020, Mr. Smith voices his support for the requests, stating, "[t]he Relevant Group has contributed to Hollywood's renaissance and has proven to be a reliable community partner."

David Carrera, local resident – In letters dated May 28 and May 31, 2020, Mr. Carrera states his opposition to the requests. In summary, Mr. Carrera states: the applicant is taking advantage of multiple entitlements to "game" the system; the applicant has not adhered to the requirements and chose to cheat the system; they have operated an illegal nightclub on the roof top; no parking is being provided on-site; lack of on-site parking and valet parking activities has created traffic on Selma Avenue; the parking area originally approved was never built; further modifications to the conditions should be made to address nuisance activity associated with the roof top use.

Gilbert Smith, President, Ricardo Montalban Foundation – In a letter dated May 27, 2020, Mr. Smith voices his support for the requests, stating, "[t]hese requests are not objectionable and simply modify entitlements to accurately reflect the built project."

Amy Ablakat, Planning Deputy, Council District 5 – In an email received on June 2, 2020, the Council Office requested that the matter be taken under advisement for a period of not less than four weeks.

Public Hearing

A public hearing was held before the Zoning Administrator on June 2, 2020 at 11:30 a.m. In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the hearing was conducted entirely telephonically. The hearing was attended by the representative for the hotel and two members from the public. The purpose of the hearing was to obtain public testimony from affected and/or interested persons regarding the application. Interested parties were also invited to submit written comments regarding the request prior to the public hearing.

Alfred Fraijo, Jr. of Sheppard Mullin Richter & Hampton representative for 6417 Selma Holdings, LLC, the applicant, indicated that the applicant was present and made the following comments:

- Mr. Fraijo referred to a Powerpoint presentation describing the project and request.
- Condition no 8 of the previous determination addressed FAR and bulk didn't change from the original size from the original Zoning Administration grant.
- Condition No. 9 required parking that will comply with the circulation of the site.
- Parking had been provided since the beginning of the hotel's operation. We always wanted to create conformity with the grant. We always intended to provide parking off-site with C/A.
- We will provide all parking for the project at the Ivar location.
- Project was challenging to provide parking off-site.
- Mr. Fraijo introduced the architect, Ruben, to present the proposed plans.

Ruben, the architect, presented the design of the building and paused for any questions.

Amy Ablakat of Council District No. 13 representing Councilperson O'Farrell recommended the case be placed under advisement for 4 weeks to review the request further.

David Carrara, a resident stakeholder, had a number of issues with the project and request. He indicated the following:

- That the ordinance in front of you was changed in 2008, 2013, and with more request now. There were already exceptions granted and the applicant can't make hardship findings. There is nothing about this lot with having any special circumstances. The property is not being constrained but enjoys more benefits now. The project will further degrade the surroundings.
- Illegal operations are on the rooftop that doesn't support the existing parking. The City already gave them concessions back during the original approval. The development doesn't have the right to have more floor area without providing more parking. This is self-imposed. The project is exceeding the original FAR. No other hotels were allowed zero (0) parking and this impacts the vicinity.
- This exacerbating especially with the illegal rooftop club. Impacts include vehicle congestion on the street. We are willing to be ok without opposition to the project if they remove the rooftop club. He believes it is within the City's power to require a CUB to the existing use. Regulating the nightclub to be conducive to the community. The club is a noise problem at 3:00 a.m.

Casey Mandran, a resident of the area, is opposed to the project and request.

- The developer illegally didn't build the 77 parking spaces on the site per the original ordinance. This request is beyond the CEQA Exception.
- The project has been piecemealed with other projects.
- We plan to appeal the decision if approved and go to court.
- The developer has broken the law repeatedly.
- Disturbances from the rooftop activity is an issue.

Alfred Fraijo responded with the following:

- We've done extensive outreach to the community.
- Two speakers don't speak to the facts.
- The development group has worked with the LAPD.
- The business has invested in the community.
- There are no noise citations received in the last 12 months. There had been prior citations.
- Parking was raised by both speakers. The Dream Hotel has never used on-site parking cause of the awkward and narrow site. Parking is under construction at the Ivar site and we must file for a Zone Variance and a Plan Approval to obtain the approval.
- Mr. Fraijo argued that there is no special privilege with the granting of such variance in contrast to the speakers opposed.
- The original conditions are still complied with.
- The categorical Exemption is appropriate for the type of project involved.

- There will be no additional floors built. The rooftop is within the enclosed space to the restaurant. Slide No. 6 of the Powerpoint presentation shows the old rooftop.
- We've had numerous consultations with Council District No. 13 on the matter.
- We would like to move forward with the project due to financial reasons and wants an advisory period of 2 weeks.

The Zoning Administrator closed the public hearing and stated that the case will be held on advisement for a period of 30 days pending further review of the administrative record; there is too much entitlement history and details to be acknowledged in order to arrive at a decision.

In response to a further requests by the applicant, the public record was held open and the matter held under advisement until August 31, 2020.

It should be noted that the Zoning Administrator who held this hearing has since retired; the summary of testimony was prepared based his personal notes taken during the hearing.

Communications Received After the Public Hearing

Lauran Chang, Representative for the Applicant – In an email dated September 9, 2020, the following documents were delivered: a letter from SheppardMullin, dated September 9, 2020, responding to comments received; a letter from Parker Environmental Consultants, dated September 9, 2020, responding to comments received; a letter from Overland Traffic Consultants, Inc., dated September 2020, evaluating the off-site valet operation; and a Supplemental to City Planning Application updating the project description and proposed findings, including attached exhibits consisting of an aerial photograph, the April 2014 determination letter for Case No. ZA 2013-3504(ZV), Ordinance No. 180381, the September 2008 determination letter for Case No. CPC 2007-3931-ZC-HD-CUB-ZV-SPR, Los Angeles Department of Building and Safety Permit Nos. 13010-10006-03647 and 03010-10007-03647, the January 2016 City Council-approved alley vacation VAC-E1401249 ;and the May 2014 Correction Letter to Case No. ZA 2013-3504(ZV).

David Carrera, local resident – In an email dated August 21, 2020, Mr. Carrera supplemented his prior comments in opposition to the requests. In summary, he states that the project provides no required loading zone, handicapped parking stall, or bicycle parking on-site.

Lauren Chang, Representative for the Applicant – In an email dated August 3, 2020, a request to keep the record open and the matter held under advisement until August 31, 2020, was made.

Lauren Chang, Representative for the Applicant – In an email dated July 1, 2020, a request to keep the record open and the matter held under advisement until August 3, 2020, was made. In addition, the applicant submitted a document entitled "Dream Hotel Project Fact Sheet" dated June 30, 2020.

Deborah Belgum, area resident – In an email dated June 4, 2020, Ms. Belgum states her opposition to the requests. In summary, her primary complaint is regarding the sound level

generated from the roof top use; the request is a further example of how the management is no interested in complying with regulations.

David Carrera, local resident – In an email dated June 2, 2020, Mr. Carerra submitted comments dated May 19, 2020, in opposition to the requests. In summary, Ms. Carrera argues there is no parking provided on-site today, and the request is an after-the-fact approval of illegal changes already made; that CEQA does not allow the proposed exemption since the requested increase in square-footage is 14,427 square feet; and that the request for removal of on-site parking and increased floor area is piecemealing – Dream Phase I (6417 Selma), Dream Phase II (6421 Selma), and the Tao Restaurant and Retail project are all part of the same project; and that required parking has been repeatedly moved from one location to another. Attached exhibits (totaling 346 pages) include the Dream Phase 1 MND; Dream Phase 1 Determination Letter; Tao Restaurant MND – Excerpt; 6421 Selma Wilcox Hotel (Dream Phase 2) Rec Report and MND – Excerpts, including Approvals/Analysis, MND Cover Page with Project Description, and Comments/Responses; 1541 Wilcox/Thompson Hotel Determination Letter; Fundraising Brochure 1 and 2; CA State Corporate Filings, including 6417 Selma Hotel, 6421 Selma Restaurant, 6421 Selma Wilcox Hotel, and 1541 Wilcox Hotel LLC; Tao Web Site; a letter dated June 11, 2018, from Daniel Pope, a former employee of Tao; Dream Chief Development Officer Interview from The Real Deal; Excessive Noise Recorded by McDonough (log); an email dated August 16, 2016, from Craig Bullock of CRA LA to Lisa Weber, Deputy Director of City Planning, regarding Dream Hotel phases; and Building and Safety Permit No. 14014-10000-05475, for "New multi-level restaurant with three below grade level storage <<Future parking garage see comments re: administrative approval>>".

ZONING ADMINISTRATOR'S DISCUSSION FOR DISMISSAL

The applicant has requested to incorporate one-half of the lot area of the eastern adjacent vacated alleyway, amounting to approximately 2,250 square feet, into the total project lot area, thereby increasing the total developable square-footage of the overall project while remaining compliant with the previously granted Floor Area Ratio (FAR) of 5.8:1, which is then used to justify the applicant's request to increase the total amount of building square-footage to be developed and the total commercial square-footage authorized.

LAMC Section 12.27-U,1 states, in relevant part, the following:

> **Development of Site**. On any lot or portion of a lot on which a use is permitted pursuant to a variance, new buildings or structures may be erected, enlargements may be made to existing buildings, and existing uses may be extended if plans for those changes are submitted to and approved by a Zoning Administrator. A Zoning Administrator shall not approve any use, single deviation or combination or series of deviations from the zoning regulations which was not approved as part of the original variance, or which would result in an increase in size or bulk of buildings exceeding 20 percent.

According to the Master Land Use Application submitted in conjunction with Case No. ZA 2013-3504-ZV, the grant request encompassed the properties described as Lots 11, 12, 13, and 14, Sackett Tract, containing approximately 13,923 square feet of lot area. Further,

according to the project information submitted by the applicant in association with that request, "... the Property consists of four parcels within a city block ... [t]he Property fronts Selma Avenue at its southern border, and lies next to existing developed properties to the north and west. The Property has access to an alley on its eastern border. The Property contains approximately 13,923 square feet of lot area." When Case No. ZA 2013-3504-ZV was considered and approved on April 4, 2014, the grant extended to the applicable properties described in the application.

On August 6, 2014, a City Council motion (Council File No. 14-1084) to investigate vacation of the adjacent public right-of-way, an alleyway, was made with final approval being obtained in October 2016. The legal description of the approved vacated alleyway is Lot C, Sackett Tract.

Including the area of the now vacated one-half alleyway of Lot C would extend the originally granted Variances to a lot that was not "[o]n any lot or portion of a lot on which a use is permitted pursuant to a variance ..."; which is to say that the area occupied by the vacated alleyway was not a part of the original variance grant, and the variance entitlement cannot be extended to that property. Therefore, the request exceeds the authority of LAMC Section 12.24-U for development of the site pursuant to the Variances granted in Case No. ZA 2013-3504-ZV, on April 4, 2014.

The requests which rely on inclusion of the lot area of the adjacent vacated alleyway, namely increasing the total floor area authorized for development and increasing the total floor area authorized for commercial development, are no longer justified as this would exceed the authorized FAR of 5.8:1, for which there is no request to consider this under the instant application.

So as not to prejudice examination of these requests pursuant to a more appropriate entitlement application, these requests are dismissed from this determination.

MANDATED FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   On April 4, 2014, the Zoning Administrator approved Case No. ZA 2013-3504-ZV, granting several variances, including one to allow 14 off-site parking spaces by lease in lieu of recorded covenant.

   On May 9, 2014, the Zoning Administrator issued a Correction Letter to Case No. ZA 2013-3504-ZV, correcting Condition No. 8 to require all off-site parking to be satisfied with evidence prior to issuance of a Certificate of Occupancy.

On July 10, 2014, the Department of Building and Safety issued Permit No. 13010-10000-03647 for the construction of a "10-story hotel building; parking, equipment and utility rooms, trash and recycle rooms at 1st and 2nd story levels, guest rooms from 3 to 9 story levels, with roof top stairway and elevator rooms; 10 story level core and shell. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

On February 14, 2017, the Department of Building and Safety issued Supplemental Building Permit No. 13010-10007-03647 to convert parking areas at the 1st and 2nd levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces. On June 30, 2020, a Temporary Certificate of Occupancy has been issued.

On December 19, 2018, the present Plan Approval request was filed, including a request to expand on the variance authorizing 14 off-site parking spaces provided by lease, in lieu of covenant and agreement.

The applicant has made statements to indicate their intention to provide required parking via covenant and agreement at properties that are presently under development, and that use of lease-provided parking is a stop gap measure until those spaces are physically available. The applicant makes the following statement:

> Pursuant to LAMC Section 12.21.A.4(g) and LAMC Section 12.26.E.5, the 65 auto parking spaces to be provided on-site will be provided within 750-feet of the Site by ministerial approval of a parking covenant by LADBS ...
>
> However, while the Applicant intends to provide off-site parking by covenant at the specified parking facilities, these facilities are currently under construction and are unable to be encumbered by a covenant due to LADBS policy that requires a Certificate of Occupancy be issued prior to approving the parking covenants. Thus, in order to satisfy the Project's parking requirements, the Applicant is requesting to increase the number of parking spaces provided off-site by lease agreement from 14 spaces to required parking, or a total of 79 spaces off-site by lease agreement in lieu of covenant. Upon issuance of the Certificates of Occupancy for the nearby parking facilities, the Applicant will move 65 of these spaces to the two specified parking facilities, or other qualified parking facility as determined by LADBS.

The general purpose and intent of the zoning regulations is to ensure a consistent set of regulations that set expectations for how new development is to appear and be utilized. According to LAMC Section 12.02, part of the general purpose and intent of the zoning regulations is to:

> ... designate, regulate and restrict the location and use of buildings, structures and land, for agriculture, residence, commerce, trade, industry or other purposes; to regulate and limit the height, number of stories, and size of buildings and other structures hereafter erected or altered to regulate and determine the size of yards and other open spaces and to regulate and limit the density of population ...

Part of these regulations speak to parking regulations. Parking is generally provided on-site, but allowances exist within the Zoning Code to provide required parking off-site, via a recorded covenant and agreement that guarantees the use of those parking spaces for the life of the building.

The applicant finds themselves in a situation where the off-site parking spaces where they anticipate recording covenants and agreements to fulfill their parking requirement are not yet available. Given that the building has been issued Temporary Certificates of Occupancy, strict application of the provisions of the Zoning Ordinance would result in the shuttering of a completed and operational hotel and other on-site commercial uses. Condition No. 7 of the grant has been modified to allow a very limited period of time in which all of the project's parking requirement can be provided via lease agreement, so that the applicant is able to secure off-site parking covenants and agreements, all the while ensuring that the required off-street parking is provided.

A purpose and intent of the zoning regulations is to ensure that new development provides the necessary number of off-street parking spaces based on the intensity or density of the proposed use. It is not intended that a determination unnecessarily constrain a discretionary development more than is otherwise required of ministerial, by-right, development. To restrict access to those regulations, without cause, would be contrary to the purpose and intent of the zoning regulations. On review of the original grant, it does not appear that there was any intent to require that parking spaces be necessarily provided on-site – only that the required number of off-street parking spaces be provided pursuant to the Zoning Code. Condition No. 7 of the grant has been clarified to allow access to existing by-right parking options.

In conjunction with the requirement of Condition No. 8, which requires that all parking be provided to the satisfaction of the Department of Building and Safety prior to the issuance of a (final) Certificate of Occupancy, the strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations without the modifications granted herein.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

The applicant has requested a modification of Condition No. 7 of Case No. ZA-2013-3504-ZV, to allow all required parking to be provided off-site via lease agreement in lieu of the covenant and agreement otherwise required.

The property is developed with a recently constructed 10-story, 182-room hotel and commercial building, with no on-site parking.

On April 4, 2014, the Zoning Administrator approved Case No. ZA-2013-3504-ZV, to approve a Variance from Section 12.26E.5 to allow 14 off-site parking spaces by lease in lieu of a recorded covenant, among other variances.

On May 9, 2014, the Zoning Administrator issued a Correction Letter to Case No. ZA 2013-3504-ZV, correcting Condition No. 8 to require all off-site parking to be satisfied with evidence prior to issuance of a Certificate of Occupancy.

On July 10, 2014, the Department of Building and Safety issued Permit No. 13010-10000-03647 for the construction of a "10-story hotel building; parking, equipment and utility rooms, trash and recycle rooms at 1st and 2nd story levels, guest rooms from 3 to 9 story levels, with roof top stairway and elevator rooms; 10 story level core and shell. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

On February 14, 2017, the Department of Building and Safety issued Supplemental Building Permit No. 13010-10007-03647 to convert parking areas at the 1st and 2nd levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

On December 19, 2018, the present Plan Approval request was filed, including a request to expand on the variance authorizing 14 off-site parking spaces provided by lease, in lieu of covenant and agreement.

The applicant argues that that the grant and conditions of approval for Case No, ZA-2013-3504-ZV are overly restrictive and specific, only applicable to a project that no longer exists, and that these "specific conditions prohibit the property to make changes and alterations that would otherwise be permitted as-of-right with approval by LADBS." As a result, the applicant believes that they are prohibited from taking advantage of the parking location alternatives offered by Los Angeles Municipal Code (LAMC) Sections 12.21A.4(g) (parking shall be provided either on the same lot as the use for which they are intended to serve or on another lot not more than 750 feet distant therefrom) and 12.26E.5 (off-site parking is required to be provided via recorded covenant and agreement).

The applicant also states:

> ... while the Applicant intends to provide off-site parking by covenant at the specified parking facilities, these facilities are currently under construction and are unable to be encumbered by a covenant due to LADBS policy that requires a Certificate of Occupancy be issued prior to approving the parking covenants. Thus, in order to satisfy the Project's parking requirements, the Applicant is requesting to increase the number of parking spaces provided off-site by lease agreement from 14 spaces to required parking ... Upon issuance of the Certificates of Occupancy for the nearby parking facilities, the Applicant will move ... these spaces to the two specified parking facilities, or other qualified parking facility as determined by LADBS.

The project has been issued building permits, completed construction, and issued a Temporary Certificate of Occupancy, and now finds themselves in the situation where they cannot provide the parking spaces required by the project on-site. The applicant states that their intention is to provide the balance of their off-street parking

requirement via covenant and agreement, however, the parking garages that will provide those spaces have not yet become available. The Department of Building and Safety does not allow parking spaces still under construction to fulfill the required parking spaces of an off-site project. This situation is a fairly unique and temporary one.

Many surrounding properties been granted the ability to provide parking off-site via lease agreement in lieu of covenant and agreement. These projects involved changes of use within existing buildings, where the provision of additional on-site parking would be impractical or infeasible. Allowing off-site parking via lease agreement is not an uncommon authorization within the surrounding area.

Condition No. 7 of the grant has been modified to temporarily authorize all project-required parking spaces to be provided via lease agreement, in lieu of covenant and agreement. The time-limited grant should be of sufficient length to see the completion of the parking garage(s) and the applicant's securing of a permanent covenant and agreement for parking spaces thereon.

Condition No. 7 of the grant has been clarified to reflect the applicant's ability to conform their parking location(s) with the regulations permitted by Zoning Code.

These two modifications, in conjunction with Condition No. 8, which requires that all parking be provided to the satisfaction of the Department of Building and Safety prior to the issuance of a (final) Certificate of Occupancy, will ensure that the project maintains code-required off-street parking spaces at all times.

For the reasons stated above, there are special circumstances applicable to the subject property that do not apply generally to other property in the same zone and vicinity.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The applicant has requested a modification of Condition No. 7 of Case No. ZA-2013-3504-ZV to allow all required parking to be provided off-site via lease agreement in lieu of the covenant and agreement otherwise required.

The property is developed with a recently constructed 10-story, 182-room hotel and commercial building, with no on-site parking.

On April 4, 2014, the Zoning Administrator approved Case No. ZA-2013-3504-ZV, to approve a Variance from Section 12.26E.5 to allow 14 off-site parking spaces by lease in lieu of a recorded covenant, among other variances.

On May 9, 2014, the Zoning Administrator issued a Correction Letter to Case No. ZA 2013-3504-ZV, correcting Condition No. 8 to require all off-site parking to be satisfied with evidence prior to issuance of a Certificate of Occupancy.

On July 10, 2014, the Department of Building and Safety issued Permit No. 13010-10000-03647 for the construction of a "10-story hotel building; parking, equipment and utility rooms, trash and recycle rooms at 1st and 2nd story levels, guest rooms from 3 to 9 story levels, with roof top stairway and elevator rooms; 10 story level core and shell. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

On February 14, 2017, the Department of Building and Safety issued Supplemental Building Permit No. 13010-10007-03647 to convert parking areas at the 1st and 2nd levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces. On June 30, 2020, a Temporary Certificate of Occupancy was issued.

The project has been issued building permits, completed construction, and issued a Temporary Certificate of Occupancy, and now finds themselves in the situation where they cannot provide the parking spaces required by the project on-site. The applicant states that their intention is to provide the balance of their off-street parking requirement via covenant and agreement, however, the parking garages that will provide those spaces have not yet become available. The Department of Building and Safety does not allow parking spaces under construction to fulfill the required parking spaces of an off-site project. This situation is a fairly unique and temporary one.

Many surrounding properties been granted the ability to provide parking off-site via lease agreement in lieu of covenant and agreement. These projects involved changes of use within existing buildings, where the provision of additional on-site parking would be impractical or infeasible. Variances authorizing off-site parking via lease agreement is not uncommon within the surrounding area.

LAMC Section 12.21A.4(g) requires parking to be provided either on the same lot as the use for which they are intended to serve or on another lot not more than 750 feet distant therefrom. LAMC Section 12.26E.5 states that off-site parking is required to be provided via recorded covenant and agreement. Use of these development regulations are ministerial, by-right, for new development.

The applicant believes that due to the wording of Condition No. 7, they are precluded from locating their required parking off-site via covenant and agreement.

On review of the grant's determination letter, it does not appear that there was any intent to require that parking spaces be necessarily provided on-site – only that the required number of off-street parking spaces be provided pursuant to the Zoning Code. It is not intended that the determination unnecessarily constrain a discretionary development more than is otherwise required of ministerial development.

Therefore, due to the unique, though temporary, situation of having been issued a Temporary Certificate of Occupancy prior to the availability of intended off-site parking facilities to fulfill the project's off-street parking space requirement, a lack of clarity in the applicant's ability to utilize by-right off-site parking provision regulations under the terms of the original grant, and widespread authorizations to permit

required parking via lease agreement, such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The applicant has requested a modification of Condition No. 7 of Case No. ZA-2013-3504-ZV to allow all required parking to be provided off-site via leave agreement in lieu of the covenant and agreement otherwise required.

As a part of this approval, Condition No. 7 has been modified to allow the applicant a very limited period of time to provide all required parking to be provided via lease agreement in order to secure off-site parking covenants and agreements, while ensuring that the required off-street parking is provided during this time. Further, Condition No. 7 has been clarified to make clear that, excepting the 14 off-site parking spaces authorized to be provided by lease agreement, all remaining code-required parking may be provided and located pursuant to zoning code regulations and do not necessarily need to be provided on-site. Approval of the grant does not relieve the applicant of their responsibility to provide all code-required off-street parking spaces; Condition No. 8 requires that all required parking is provided prior to issuance of the (final) Certificate of Occupancy; therefore, granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

5. **The granting of the variance will not adversely affect elements of the General Plan.**

The General Plan is the City's roadmap for future growth and development. The General Plan Elements establish goals, policies, purposes, and programs that provide for the regulatory environment in managing the City, and for addressing environmental concerns and problems. The majority of the policies derived from these elements are implemented in the form of Municipal Code requirements. The General Plan is comprised of the Framework Element, seven state-mandated elements, and four additional elements.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The subject property is located within the Hollywood Community Plan area, where the Community Plan Area Map designates the property for Regional Center commercial land uses, with corresponding zones of C2, C4, P, PB, RAS3 and RAS4 Zones. The property is zoned (T)(Q)C4-2D; the property's zoning is consistent with the General Plan's land use designation for the site.

The Plan Text does not discuss specifically the issue of variances from "Q" Conditions or parking by lease in lieu of by covenant as the Plan is more general than the

specificity of the instant request. Overall compliance with the Plan is predicated upon all projects complying with the land use designations, zoning code regulations, Building and Safety codes, etc. Inasmuch as the granted modifications to Condition No. 7 result in the provision of all code-required off-street parking spaces, the approval does not affect any elements of the General Plan.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

JONATHAN A. HERSHEY, AICP
Associate Zoning Administrator

JAH:ON:jq

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjacent Property Owners
Interested Parties

COVID-19 UPDATE
Interim Appeal Filing Procedures

Fall 2020

LOS ANGELES CITY PLANNING

Consistent with Mayor Eric Garcetti's "Safer At Home" directives to help slow the spread of COVID-19, City Planning has implemented new procedures for the filing of appeals for non-applicants that eliminate or minimize in-person interaction.

OPTION 1: Online Appeal Portal

(planning.lacity.org/development-services/appeal-application-online)

Entitlement and CEQA appeals can be submitted online and payment can be made by credit card or e-check. The online appeal portal allows appellants to fill out and submit the appeal application directly to the Development Services Center (DSC). Once the appeal is accepted, the portal allows for appellants to submit a credit card payment, enabling the appeal and payment to be submitted entirely electronically. A 2.7% credit card processing service fee will be charged - there is no charge for paying online by e-check. Appeals should be filed early to ensure DSC staff has adequate time to review and accept the documents, and to allow Appellants time to submit payment. On the final day to file an appeal, the application must be submitted and paid for by 4:30PM (PT). Should the final day fall on a weekend or legal holiday, the time for filing an appeal shall be extended to 4:30PM (PT) on the next succeeding working day. Building and Safety appeals (LAMC Section 12.26K) can only be filed using Option 2 below.

OPTION 2: Drop off at DSC

An appellant may continue to submit an appeal application and payment at any of the three Development Services Center (DSC) locations. City Planning established drop off areas at the DSCs with physical boxes where appellants can drop.

Metro DSC
(213) 482-7077
201 N. Figueroa Street
Los Angeles, CA 90012

Van Nuys DSC
(818) 374-5050
6262 Van Nuys Boulevard
Van Nuys, CA 91401

West Los Angeles DSC
(310) 231-2901
1828 Sawtelle Boulevard
West Los Angeles, CA 90025

City Planning staff will follow up with the Appellant via email and/and or phone to:

- Confirm that the appeal package is complete and meets the applicable LAMC provisions
- Provide a receipt for payment

DEPARTMENT OF CITY PLANNING APPLICATION

APPLICATIONS:

DEPARTMENT OF CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number _____

Env. Case Number _____

Application Type _____

Case Filed With (Print Name) _____ Date Filed _____

Application includes letter requesting:

☐ Waived hearing ☐ Concurrent hearing Related Case Number _____ ☐ Hearing not be scheduled on a specific date (e.g. vacation hold)

Provide all information requested. Missing, incomplete or inconsistent information will cause delays.

All terms in this document are applicable to the singular as well as the plural forms of such terms.
Detailed filing instructions are found on form CP-7810

1. PROJECT LOCATION

Street Address[1] 6415-6419 West Selma Avenue Unit/Space Number _____

Legal Description[2] (Lot, Block, Tract) Lot 11, Sackett Tract

Assessor Parcel Number 5546-007-038 Total Lot Area 13,923 SF

2. PROJECT DESCRIPTION

Present Use Mixed-use hotel, restaurant, retail.

Proposed Use No change.

Project Name (if applicable) Dream Hotel

Describe in detail the characteristics, scope and/or operation of the proposed project Modify conditions of previously approved zone variance to reflect updated square footages for uses, overall floor area, required parking, and parking provided off-site by covenanant and lease agreement.

Additional information attached ☑ YES ☐ NO

Complete and check all that apply:

Existing Site Conditions

☐ Site is undeveloped or unimproved (i.e. vacant)

☑ Site has existing buildings (provide copies of building permits)

☐ Site is located within 500 feet of a freeway or railroad

☐ Site is located within 500 feet of a sensitive use (e.g. school, park)

[1] Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org)
[2] Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

☐ Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)

☐ Site has special designation (e.g. National Historic Register, Survey LA)

Proposed Project Information

(Check all that apply or could apply)

☐ Demolition of existing buildings/structures

☐ Relocation of existing buildings/structures

☐ Interior tenant improvement

☐ Additions to existing buildings

☐ Grading

☐ Removal of any on-site tree

☐ Removal of any street tree

☐ Removal of protected trees on site or in the public right of way

☐ New construction: _____ square feet

☐ Accessory use (fence, sign, wireless, carport, etc.)

☐ Exterior renovation or alteration

☐ Change of use and/or hours of operation

☐ Haul Route

☐ Uses or structures in public right-of-way

☐ Phased project

Housing Component Information

Number of Residential Units: Existing 0 – Demolish(ed)[3] 0 + Adding 0 = Total 0

Number of Affordable Units[4] Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units Existing 0 – Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: 93,783 SF existing square feet

Public Right-of-Way Information

Have you submitted the Planning Case Referral Form to BOE? (required) ☐ YES ☑ NO

Is your project required to dedicate land to the public right-of-way? ☐ YES ☑ NO

If so, what is/are your dedication requirement(s)? N/A ft.

If you have dedication requirements on multiple streets, please indicate: N/A

3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36? ☐ YES ☐ NO

Authorizing Code Section 12.27.M

Code Section from which relief is requested (if any): 12.21.A.4

Action Requested, Narrative: Modify parking requirement for all uses to permit code-required parking to be provided off-site via covenant and lease agreements.

Authorizing Code Section _____

Code Section from which relief is requested (if any): _____

Action Requested, Narrative: _____

Additional Requests Attached ☐ YES ☑ NO

[3] Number of units to be demolished and/or which have been demolished within the last five (5) years.

[4] As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site? ☑ YES ☐ NO

If YES, list all case number(s) CPC-2007-3931-ZC-HD-CUB-SPR; ZA-2013-3504-ZV

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. ZA-2013-3504-ZV Ordinance No.: _____

☐ Condition compliance review
☑ Modification of conditions
☐ Revision of approved plans
☐ Renewal of entitlement
☐ Plan Approval subsequent to Master Conditional Use
☐ Clarification of Q (Qualified) classification
☐ Clarification of D (Development Limitations) classification
☐ Amendment to T (Tentative) classification

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project? ☐ YES ☑ NO

Have you filed, or is there intent to file, a Subdivision with this project? ☐ YES ☑ NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please provide a copy of any applicable form and reference number if known.

a. Specialized Requirement Form _____
b. Geographic Project Planning Referral _____
c. Citywide Urban Design Guidelines Checklist _____
d. Affordable Housing Referral Form _____
e. Mello Form _____
f. Unpermitted Dwelling Unit (UDU) Inter-Agency Referral Form _____
g. HPOZ Authorization Form _____
h. Management Team Authorization _____
i. Expedite Fee Agreement _____
j. Department of Transportation (DOT) Referral Form _____
k. Bureau of Engineering (BOE) Planning Case Referral Form (PCRF) _____
l. Order to Comply _____
m. Building Permits and Certificates of Occupancy _____
n. Hillside Referral Form _____
o. Low Impact Development (LID) Referral Form (Storm water Mitigation) _____
p Proof of Filing with the Housing and Community Investment Department _____
q. Are there any recorded Covenants, affidavits or easements on this property? ☐ YES (provide copy) ☐ NO

PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant[5] name 6417 Selma Holdings, LLC

Company/Firm

Address: 1605 N. Cahuenga Blvd., Suite 203 Unit/Space Number

City Los Angeles State CA Zip Code: 90028

Telephone (323) 466-1400 E-mail:

Are you in escrow to purchase the subject property? ☐ YES ☑ NO

Property Owner of Record ☑ Same as applicant ☐ Different from applicant

Name (if different from applicant)

Address Unit/Space Number

City State Zip Code:

Telephone E-mail:

Agent/Representative name Alfred Fraijo Jr.

Company/Firm Sheppard Mullin Richter & Hampton, LLP

Address: 333 S. Hope St., 43rd Fl. Unit/Space Number

City Los Angeles State CA Zip: 90071

Telephone (213) 617-5567 E-mail: afraijo@sheppardmullin.com

Other (Specify Architect, Engineer, CEQA Consultant etc.)

Name

Company/Firm

Address: Unit/Space Number

City State Zip Code:

Telephone E-mail:

Primary Contact for Project Information ***(select only one)***

☐ Owner ☐ Applicant

☑ Agent/Representative ☐ Other

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

[5] An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

PROPERTY OWNER

7. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

   - **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
   - **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
   - **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
   - **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

   a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.

   b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.

   c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.

   d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public.
The City requires an original signature from the property owner with the "wet" notary stamp.
A Notary Acknowledgement is available for your convenience on following page.

Signature _____ Date 12/19/2018

Print Name RICHARD HEYMAN

Signature _____ Date _____

Print Name _____

Space Below For Notary's Use

California All-Purpose Acknowledgement **Civil Code ' 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On 12/19/18 before me, Galoust Haroutunyan, notary public
(Insert Name of Notary Public and Title)

personally appeared Richard Heyman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature (Seal)

GALOUST HAROUTUNYAN
Notary Public - California
Los Angeles County
Commission # 2173460
My Comm. Expires Nov 24, 2020

APPLICANT

8. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

   a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.

   b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.

   c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required. .

   d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.

   e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.

   f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.

   g. I understand that if this application is denied, there is no refund of fees paid.

   i. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but it not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

   i. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

The City requires an original signature from the applicant. The applicant's signature below <u>does not</u> need to be notarized.

Signature: _____ Date: 12/19/2018

Print Name: RICHARD HEYMAN

ENVIRONMENTAL REPORT

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 360
LOS ANGELES, CALIFORNIA 90012

CITY CLERK'S USE

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(California Environmental Quality Act Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152 (b). Pursuant to Public Resources Code Section 21167 (d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitations being extended to 180 days.

LEAD CITY AGENCY	COUNCIL DISTRICT
City of Los Angeles Department of City Planning	13

PROJECT TITLE	LOG REFERENCE
ZA 2013-3504-ZV-PAI	ENV-2018-7559-CE

PROJECT LOCATION
6415 – 6419 W Selma Ave

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:
Plan Approval to modify parking requirements to permit off-site parking by covenant and lease.

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT, IF OTHER THAN LEAD CITY AGENCY:

CONTACT PERSON	
Alfred Fraijo Jr.	(213) 617-5567

EXEMPT STATUS: (Check One)

STATE CEQA GUIDELINES

- ☐ MINISTERIAL — Sec. 15268
- ☐ DECLARED EMERGENCY — Sec. 15269
- ☐ EMERGENCY PROJECT — Sec. 15269 (b) & (c)
- ☐ CATEGORICAL EXEMPTION — Sec. 15300 *et seq.*

  Section **15301** Class **1** Category _____ (State CEQA Guidelines)
  Section _____ Class _____ Category _____ (State CEQA Guidelines)
- ☐ OTHER (See Public Resources Code Sec. 21080 (b) and set forth state and City guideline provision.

JUSTIFICATION FOR PROJECT EXEMPTION (Class _____): Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

SIGNATURE	TITLE	DATE

FEE:	RECEIPT NO.	REC'D. BY	DATE
373-	52202	Steve Kim	

DISTRIBUTION: (1) County Clerk, (2) City Clerk, (3) Agency Record
Rev. 11-28-18

IF FILED BY THE APPLICANT:

Reuben Duarte
NAME (PRINTED)

SIGNATURE

12/19/18
DATE

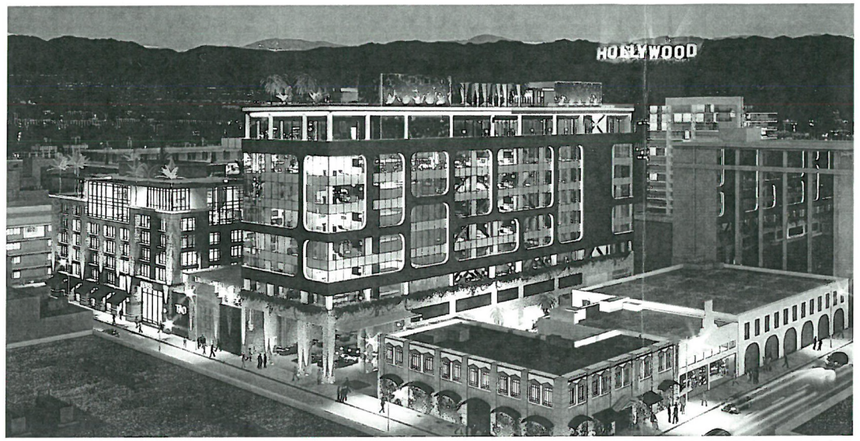
PLOT PLANS

ABBREVIATIONS

@	AT	LAM	LAMINATE
A.F.F.	ABOVE FINISH FLOOR	LAV	LAVATORY
AFG	ABOVE FINISH GRADE	LT FXT	LIGHT FIXTURE
ACOUS	ACOUSTICAL	MAX	MAXIMUM
ADJ	ADJUSTABLE	MECH	MECHANICAL
ALUM	ALUMINUM	MTL	METAL
ANCH	ANCHOR	MIN	MINIMUM
APPROX	APPROXIMATELY	(N)	NEW
ATTEN	ATTENUATION	NIC	NOT IN CONTRACT
BD	BOARD	OC	ON CENTER
BLDG	BUILDING	OD	OUTSIDE DIAMETER
BLK	BLOCK	P.C.	PROPERTY CORNER
BM	BEAM	P.L.	PROPERTY LINE
B.O.	BOTTOM OF	PLT	PLATE
CAB	CABINET	PLAS	PLASTER
CER	CERAMIC	PLWD	PLYWOOD
CJ	CONTROL JOINT	R	RISERS
CL	CLOSET	RD	ROOF DRAIN
C.L.	CENTER LINE	R.O.	ROUGH OPENING
CLG	CEILING	RAD	RADIUS
CLR	CLEAR	RDL	ROOF DRAIN LEADER
CMU	CONCRETE MASONRY UNIT	REC	RECESSED
COL	COLUMN	REINF	REINFORCED
CONC	CONCRETE	REQ'D	REQUIRED
CONST	CONSTRUCTION	RES	RESISTANT
CONT	CONTINUOUS	RESIL	RESILIENT
DBL	DOUBLE	RET	RETAINING
DTL	DETAIL	REV	REVERSE
DIA	DIAMETER	RM	ROOM
DIAG	DIAGONAL	S.S.	STAINLESS STEEL
DIM	DIMENSION	SV	SHEET VINYL
DN	DOWN	SCHED	SCHEDULE
DS	DOWNSPOUT	SECT	SECTION
DWG	DRAWING	SFR	SINGLE FAMILY RESIDENCE
EA	EACH	SHT	SHEET
EL	ELEVATION	SIM	SIMILAR
ELECT	ELECTRICAL	SPEC	SPECIFICATION
EQ	EQUAL	SQ	SQUARE
EQUIP	EQUIPMENT	STD	STANDARD
(E)	EXISTING	STL	STEEL
EXT	EXTERIOR	STRUCT	STRUCTURAL
FD	FLOOR DRAIN	SUSP	SUSPENDED
FIN	FINISH	T	TREADS
F.F.E.	FINISH FLOOR ELEVATION	T&B	TOP AND BOTTOM
FLR	FLOOR	T&G	TONGUE AND GROOVE
FLUOR	FLUORESCENT	T.B.	TOP OF
F.O.	FACE OF	T.O.C.	TOP OF CONCRETE
FT	FOOT	TELE	TELEPHONE
FTG	FOOTING	TEMP	TEMPERED
FV	FIELD VERIFY	T.S.	TUBE STEEL
GA	GAUGE	TYP	TYPICAL
GI	GALVANIZED IRON	UND	UNLESS NOTED OTHERWISE
GALV	GALVANIZED	URM	UNREINFORCED MASONRY
GL	GLASS	VCT	VINYL COMPOSITION TILE
GYP BD	GYPSUM BOARD	W/	WITH
HD	HEAD	WC	WATER CLOSET
HDWD	HARDWOOD	WF	WIDE FLANGE
HORIZ	HORIZONTAL	WP	WATERPROOF
HT	HEIGHT	WD	WOOD
ID	INSIDE DIAMETER	±	PLUS OR MINUS
IN	INCH	#	NUMBER
INSUL	INSULATION	RTFD	
INT	INTERIOR		

SYMBOLS

- SOLID LINE
- DASHED LINES INDICATE HIDDEN, OVERHEAD OR ITEMS TO BE REMOVED
- BUILDING FLOOR OR ELEVATION
- PROPERTY LINE
- BREAK LINE - MATERIAL TO CONTINUE
- GRIDLINE ON CENTER OF COLUMN
- GRIDLINE TO FACE OF STRUCTURE
- DIMENSION TO CENTERLINE
- DIMENSION TO FACE
- BUILDING SECTION
- WALL SECTION
- DETAIL
- INTERIOR ELEVATION - MULTIPLE WALLS
- INTERIOR ELEVATION - 1 WALL
- EXTERIOR ELEVATION
- ENTRY 101 — ROOM NAME / ROOM NUMBER
- WALL TYPE
- 100 / 1 — DOOR MARK
- 100 / A — WINDOW MARK
- APP-01 — EQUIPMENT MARK
- PL-01 — PLUMBING FIXTURES
- FT-01 — FINISH DESIGNATION
- REVISION NUMBER
- EXISTING ELEVATION
- NEW ELEVATION
- CONTROL POINT / DATUM
- ALIGN
- EXISTING WALL
- NEW WALL
- DIRECTION OF SLOPE TO DRAIN
- EXHAUST FAN
- SP — FIRE SPRINKLER
- SD — SMOKE DETECTOR



DREAM
HOLLYWOOD

PARKING REVISION PERMIT

GRAPHIC NOTES

1. **SCALING DRAWINGS.** DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS AND DESCRIPTIONS TAKE PRECEDENCE OVER GRAPHIC REPRESENTATION ON DRAWINGS. ***VERIFY WITH ARCHITECT ANY CONFLICTING AREAS PRIOR TO COMMENCING ACTUAL WORK.***
2. **PRECEDENCE.** LARGE SCALE DRAWINGS TAKE PRECEDENCE OVER SMALL SCALE DRAWINGS. DETAILS TAKE PRECEDENCE OVER ALL. ***NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK.***
3. **DIMENSIONING CONVENTIONS.**
   A. ALL DIMENSIONS ARE GIVEN FROM FACE OF STUD, FACE OF CONCRETE, OR FACE OF CMU UNLESS NOTED OTHERWISE.
   B. DIMENSIONS NOTED CLEAR OR "CLR" ***MUST*** BE PRECISELY MAINTAINED ALLOWING FOR THICKNESS OF FINISH MATERIALS.
   C. ***DIMENSIONS ARE NOT ADJUSTABLE*** WITHOUT ARCHITECTS APPROVAL UNLESS NOTED OTHERWISE.
   D. VERIFY DIMENSIONS MARKED "VIF" PRIOR TO START OF CONSTRUCTION. REPORT ANY INCONSISTENCIES TO ARCHITECT.
   E. IN THE EVENT OF OMISSION OF DIMENSIONS OR CONFLICT BETWEEN DIMENSIONS AS SHOWN, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND RECEIVE CLARIFICATION. ***DO NOT SCALE DRAWINGS.***
   F. ALL DIMENSIONS ARE GIVEN BASED ON THE NOMINAL SIZE OF THE CONSTRUCTION MATERIAL TO WHICH THEY PERTAIN UNLESS NOTED OTHERWISE.
4. **DEFINITION OF TERMINOLOGY**
   A. **ALIGN:** ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE.
   B. **APPROVED EQUAL:** AS ACCEPTED IN WRITING BY THE ARCHITECT AS BEING OF EQUIVALENT QUALITY, UTILITY AND APPEARANCE.
   C. **AS REQUIRED:** AS REQUIRED BY REGULATORY REQUIREMENTS, BY REFERENCE STANDARDS, BY EXISTING CONDITIONS, BY GENERALLY ACCEPTED CONSTRUCTION PRACTICE, OR BY THE CONTRACT DOCUMENTS.
   D. **DIRECTED:** AS REQUESTED, AUTHORIZED, SELECTED, APPROVED, REQUIRED BY ARCHITECT.
   E. **FURNISH:** SUPPLY AND DELIVER TO PROJECT SITE.
   F. **INDICATED:** AS SHOWN, NOTED, AND/OR SCHEDULED ON THE DRAWINGS OR WRITTEN IN THE SPECIFICATIONS.
   G. **INSTALL:** ANCHOR, FASTEN OR CONNECT INTO PLACE AND ADJUST FOR USE. PLACE OR APPLY IN PROPER POSITION AND LOCATION. ESTABLISH IN PLACE FOR USE OR SERVICE.
   H. **PROVIDE:** FURNISH AND INSTALL, COMPLETE AND READY FOR USE.
   I. **SIMILAR:** COMPARABLE CHARACTERISTICS FOR THE CONDITIONS NOTED. VERIFY DIMENSIONS AND ORIENTATIONS ON PLANS AND ELEVATIONS.
   J. **TYPICAL:** IDENTICAL FOR ALL CONDITIONS UNLESS NOTED OTHERWISE.
5. **ABBREVIATIONS.** ABBREVIATIONS THROUGHOUT THE PLANS ARE THOSE IN COMMON USE. CLARIFY WITH THE ARCHITECT THE INTENT OF ANY ABBREVIATION IN QUESTION. ***SEE T1.0 FOR COMPLETE LISTING OF ABBREVIATIONS.***

MATERIALS

- ALUMINUM
- WOOD, FINISH
- CONCRETE
- CONCRETE MASONRY UNIT
- EARTH
- STONE
- GRAVEL
- SAND
- GYPSUM BOARD
- PLASTER IN SECTION & ELEVATION
- CONCRETE IN PLAN & ELEVATION
- CEMENT PLASTER
- BATT INSULATION
- RIGID INSULATION
- PLYWOOD
- GLASS
- STEEL
- CERAMIC TILE
- METAL STUD IN PLAN, METAL TRACK BELOW
- METAL STUD IN ELEVATION
- METAL IN ELEVATION

ZONING CODE AREA CALCULATIONS

EXISTING AREA

FIRST FLOOR:	1,795 SQ FT
SECOND FLOOR:	0 SQ FT

ADDITIONAL PROPOSED AREA

FIRST FLOOR:	4,849 SQ FT
SECOND FLOOR:	8,877 SQ FT
TOTAL ADDED AREA:	**13,726 SQ FT**
TOTAL BLDG AREA PER PERMIT 13010-10006-03647	80,057 SQ FT
TOTAL ADDED AREA	13,726 SQ FT
TOTAL BUILDING AREA	***93,783 SQ FT***
LOT AREA (PER SURVEY ON C1.00)	13,923 SQ FT
AREA OBTAINED FROM ALLEY VACATION*	2,250 SQ FT
TOTAL LOT AREA	***16,173 SQ FT***
TOTAL ALLOWABLE AREA	***93,803 SQ FT****

*FLOOR AREA MULTIPLIER FACTOR = 5.8 (PER 4/14/14 VARIANCE)

93,783 SQ FT < 93,803 ALLOWABLE SQ FT

FOR THE PURPOSES OF THE ABOVE CALCULATIONS, "FLOOR AREA" IS DEFINED AS FOLLOWS: "...THAT AREA IN SQUARE FEET CONFINED WITHIN THE EXTERIOR WALLS OF A BUILDING, BUT NOT INCLUDING THE AREA OF THE FOLLOWING: EXTERIOR WALLS, STAIRWAYS, SHAFTS, ROOMS HOUSING BUILDING-OPERATING EQUIPMENT OR MACHINERY, PARKING AREAS WITH ASSOCIATED DRIVEWAYS AND RAMPS, SPACE FOR THE LANDING AND STORAGE OF HELICOPTERS, AND BASEMENT STORAGE AREAS. (LAMC 12.03)

BUILDING CODE AREA CALCULATIONS

FIRST FL FFE	HOTEL	3,723 SQ FT
FIRST FL FFE	PARKING	2,086 SQ FT
FIRST FL FFE	UTILITY	5,955 SQ FT
FIRST FL FFE	RETAIL	830 SQ FT
SECOND FL FFE	HOTEL	7,326 SQ FT
SECOND FL FFE	UTILITY	5,173 SQ FT

FOR THE PURPOSES OF THE ABOVE CALCULATIONS, "GROSS FLOOR AREA" IS DEFINED AS FOLLOWS: "THE FLOOR AREA WITHIN THE INSIDE PERIMETER OF THE EXTERIOR WALLS OF THE BUILDING UNDER CONSIDERATION, EXCLUSIVE OF VENT SHAFTS AND COURTS, WITHOUT DEDUCTION FOR CORRIDORS, STAIRWAYS, CLOSETS, THE THICKNESS OF INTERIOR WALLS, COLUMNS OR OTHER FEATURES. THE FLOOR AREA OF A BUILDING, OR PORTION THEREOF, NOT PROVIDED WITH SURROUNDING EXTERIOR WALL SHALL BE THE USABLE AREA UNDER THE HORIZONTAL PROTECTION OF THE ROOF OR FLOOR ABOVE. THE GROSS FLOOR AREA SHALL NOT INCLUDE SHAFTS WITH NO OPENINGS OR INTERIOR COURTS." (LBC SEC. 1002.1)

PARKING CALCULATIONS

GROUND LEVEL AREA ADDED: 803 SQ FT OF COMMERCIAL RETAIL SPACE

COMMERCIAL RETAIL PARKING REQUIREMENTS 1 PER 500 PER BULLETIN PZC 2002-011 (ENTERPRISE ZONE)

803 / 500 = 1.61 - **2 ADDITIONAL SPACES REQUIRED PRIOR TO C of O**

77 TOTAL PARKED ON SITE (PLAN CPC 2007-3931-ZC-HD-CUB-ZV-SPR)
14 OFF-SITE PARKING SPOTS PROVIDED (VARIANCE NO. ZA 2013-3504 (ZV))
(91 SPACES ORIGINALLY PERMITTED)

2 SPACES ADDED FROM ROOF RECONFIGURATION PERMIT 13010-10000-03647

TOTAL REQUIRED PARKING: 79 TOTAL SPACES REQUIRED*

ORIGINAL PARKING REQUIRED
TOTAL PARKING — 65 TOTAL SPACES REQUIRED
TOTAL BIKE PARKING — 14 SHORT TERM + 14 LONG TERM

*REVISED PARKING REQUIRED**
TOTAL PARKING — 79 TOTAL SPACES REQUIRED
TOTAL BIKE PARKING — 26 SHORT TERM + 26 LONG TERM

*SEE A2.00 FOR PARKING CALCULATIONS

FIRE RATING REQUIREMENTS

TABLE 601
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (HOURS)

BUILDING ELEMENT	TYPE I		TYPE II		TYPE III		TYPE IV	TYPE V	
	A	B	A	B	A	B	HT	A	B
Primary structural frame (see Section 202)	3	2	1	0	1	0	HT	1	0
Bearing walls									
Exterior	3	2	1	0	1	0	1	1	0
Interior	3	2	1	0	1	0	1/HT	1	0
Nonbearing walls and partitions									
Exterior									
Nonbearing walls and partitions	0	0	0	0	0	0	See Section 602	0	0
Interior									
Floor construction and associated secondary members (see Section 202)	2	2	1	0	1	0	HT	1	0
Roof construction and associated secondary members (see Section 202)	1½	1	1*	0*	1*	0*	HT	1	0

TABLE 602
FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE**

FIRE SEPARATION DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP H-1	OCCUPANCY GROUP H-2, H-3	OCCUPANCY GROUP A, B, E, F-1, M*, S-2, R-4*
X < 5	All	4	3	3
5 ≤ X < 10	IA Others	4 3	3 2	3 2
10 ≤ X < 30	IA, IB IIB, VB Others	3 2 1	2 1 1	2 1 1
X ≥ 30	All	0	0	0

SHEET INDEX

ARCHITECTURAL

T1.00 TITLE SHEET
A1.00 SITE PLAN
A2.00 PARKING CALCULATIONS & GROUND LEVEL PLAN

LOCATION MAP

VICINITY MAP

PROJECT DIRECTORY

OWNER
Richard Heyman
Fred Chaim Development
1605 Cahuenga Blvd
Los Angeles, CA 90028
Tel: 323 466-1400

Demien Farrell
Owner Representative
Hollywood International Regional Center
1605 N. Cahuenga Blvd.
Los Angeles, CA 90028
Tel: 323 466-1400

Robert Kuhl
Project Manager
Hollywood International Regional Center
1605 N. Cahuenga Blvd.
Los Angeles, CA 90028
Tel: 323 466-1400

ARCHITECT
Rocky Rockefeller, AIA
Lic. # C14927 Exp. 04-30-17
Rockefeller Partners Architects, Inc.
201 Arena Street
El Segundo, CA 90245
Tel: 310 335-6000
Fax: 310 335-6060

DESIGN ARCHITECT
Kitsilen Flamming Architects
1625 Olympic Boulevard
Santa Monica, CA 90404
Tel: 310 399 7975

STRUCTURAL
Gagan P. Singh Bains
Lic. #4482 Exp: 06-30-16
ARC Engineering
307 N. Santa Anita Ave., Suite B
Arcadia, CA 91006
Tel: 626 574-1425
Fax: 626 574-0624

DESIGNER
Catherine Yatrakis
Rockwell Group
5 Union Square West
New York, NY 10003
Tel: 212 463-0334
Fax: 212 463-0335

PROJECT INFORMATION

BUILDING AUTHORITY:	City of Los Angeles
BUILDING CODE:	2010 CBC
SITE ADDRESS:	6417 Selma Avenue Los Angeles, CA 90028
PROJECT NAME:	DREAM HOLLYWOOD HOTEL
ADDRESS:	6417 SELMA AVE LOS ANGELES, CA
OWNER:	6417 SELMA HOLDINGS, LLC 1605 N CAHUENGA BLVD SUITE 203 LOS ANGELES, CA 90028
PROJECT DESCRIPTION:	PLAN APPROVAL FOR MODIFICATION OF PARKING REQUIREMENT RELATED TO TENANT IMPROVEMENT SUPPLEMENTAL PERMIT TO #13010-10000-03647
CONSTRUCTION TYPE:	TYPE I-B FULLY SPRINKLERED
NUMBER OF STORIES:	10
OCCUPANCY TYPE:	R1, A2, S2
APN	5546007022
ZONING	(T) (Q) C4-2D
FLOOD ZONE	N/A
SITE AREA:	13,923 + 2,250 = 16,173 SQ FT
SET BACKS:	NONE - SEE CONDITIONAL USE PLAN CPC 2007-3931-ZC-HD-CUB-ZV-SPR, CU72 PAGE 10
ALLOWABLE FAR:	5.8:1 SEE 4/4/14 APPROVAL OF VARIANCE CASE NO. ZA 2013-3504 (ZV), ITEM #3
PROJECT FAR:	(80,057) + 13,726 = 93,783 SQ FT
PROJECT AREA:	27,450 SQ FT (LEVELS 1 + 2 ONLY)
ALLOWABLE BUILDING AREA	93,803 SQ FT SEE T1.77 FOR COMPLETE DIAGRAMS & CALCULATIONS
ALLOWABLE COMMERCIAL AREA	4,585 SQ FT SEE 4/4/14 APPROVAL OF VARIANCE CASE NO. ZA 2013-3504 (ZV), ITEM #1
PROJECT COMMERCIAL AREA:	(2,542) + 803 = 3,345 SQ FT
ALLOWABLE DENSITY:	182 ROOMS SEE 4/4/14 APPROVAL OF VARIANCE CASE NO. ZA 2013-3504 (ZV), ITEM #1
PROJECT DENSITY:	182 HOTEL ROOMS
ALLOWABLE BLDG HEIGHT:	129'-0" SEE 4/4/14 APPROVAL OF VARIANCE CASE NO. ZA 2013-3504 (ZV), ITEM #2
PROJECT BLDG HEIGHT:	125'-0" SEE SITE PLAN FOR GRADE CALCULATIONS AND BUILDING ELEVATIONS FOR DIMENSIONS

GEOGRAPHICALLY ORIENTED PARCEL INFORMATION

FIRE DISTRICT:	No. 1
PARCEL AREA (sq ft):	4,220.3
THOMAS BROTHERS MAP GRID:	Page 593 - Grid M

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 11, 12, 13 AND 14 OF THE SACKETT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 PAGE 150 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION OF LOTS 11, 12, 13 AND 18 IN THE SACKETT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 150 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT 18 WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THE WEST WALL OF A BRICK GARAGE SITUATED ON THE LAND HEREIN DESCRIBED, SAID INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE DISTANT NORTH 89° 54' 30" WEST, ALONG THE SOUTHERLY LINES OF LOTS 11 AND 18, 127.33 FEET FROM THE WESTERLY LINE OF THE 20 FOOT ALLEY ADJOINING LOT 11 ON THE EAST AS SAID ALLEY IS ESTABLISHED BY THE CITY ENGINEER OF SAID CITY, SAID INTERSECTION BEING ALSO SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF LOTS 17 AND 18 OF SAID TRACT, 142.70 FEET FROM THE EASTERLY LINE OF WILCOX AVENUE, 80 FEET WIDE, AS ESTABLISHED BY SAID CITY ENGINEER; THENCE SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF LOTS 17 AND 18 SAID TRACT, 142.70 FEET FROM THE EASTERLY LINE OF WILCOX AVENUE, 80 FEET WIDE, AS ESTABLISHED BY SAID CITY ENGINEER; THENCE SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINE OF LOT 17, A DISTANCE OF 69.34 FEET TO A POINT IN THE SOUTHERLY PROLONGATION OF THE EAST WALL OF SAID BRICK GARAGE; THENCE NORTH 00° 05' 15" EAST ALONG SAID PROLONGATION AND SAID EAST WALL, TO AN INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE OF SAID LOT 18 DISTANT NORTH 89° 54' 30" WEST THEREON 61.96 FEET FROM SAID WEST LINE OF SAID ALLEY AND DISTANT SOUTH 89° 54' 30" EAST, ALONG THE SOUTHERLY LINES OF LOTS 17, 18 AND 11, A DISTANCE OF 208.04 FEET FROM SAID EASTERLY LINE OF WILCOX AVENUE; THENCE NORTHERLY ALONG SAID EAST FACE, THE FOLLOWING DESCRIBED COURSES:

NORTH 0° 05' 15" EAST 20.13 FEET; NORTH 89° 54' 45" WEST 0.66 FEET AND NORTH 0° 05' 15" EAST 114.86 FEET TO THE NORTHERLY LINE OF SAID LOT 13; THENCE NORTH 89° 50' 15" WEST, ALONG THE NORTHERLY LINE OF SAID LOT 13, A DISTANCE OF 65.28 FEET TO THE NORTHWESTERLY CORNER OF SAME LOT 13; THENCE SOUTH 0° 04' 30" WEST, ALONG THE WESTERLY LINE OF SAID LOTS 13 AND 12, A DISTANCE OF 114.99 FEET TO THE NORTHERLY LINE OF SAID LOT 18; THENCE SOUTH 89° 54' 45" EAST, ALONG SAID NORTHERLY LINE OF LOT 18, A DISTANCE OF 0.13 FEET TO THE NORTHERLY PROLONGATION OF SAID WEST FACE OF SAID WEST WALL; THENCE SOUTH 0° 04' 30" WEST, ALONG SAID WEST FACE, AND ITS PROLONGATION, A DISTANCE OF 99.99 FEET TO THE POINT OF BEGINNING.

PARCEL 2
THE WESTERLY HALF OF LOT 'C' OF THE SACKETT TRACT IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 OF MAPS, PAGE 150, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY APN: NONE.

ROCKEFELLER KEMPEL ARCHITECTS

201 Arena Street
El Segundo, California
90245

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F 310.335.6060
W www.rockefellerkempel.com

DREAM
HOLLYWOOD HOTEL

6417 SELMA AVENUE
LOS ANGELES, CALIFORNIA 90028

DRAWING LOG

No.	Date	
1	11.01.2018	Parking Revision Permit

LICENSED ARCHITECT — DARRELL LOUIS ROCKEFELLER — C-14927 — 06-30-18 — STATE OF CALIFORNIA

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF ROCKEFELLER KEMPEL ARCHITECTS, INC. NO PART THEREOF SHALL BE REPRODUCED, COPIED, ADAPTED, OR DISTRIBUTED TO OTHERS. PUBLISHED, SOLD OR OTHERWISE USED WITHOUT THE PRIOR WRITTEN CONSENT OF AND APPROPRIATE COMPENSATION TO ROCKEFELLER KEMPEL ARCHITECTS, INC.
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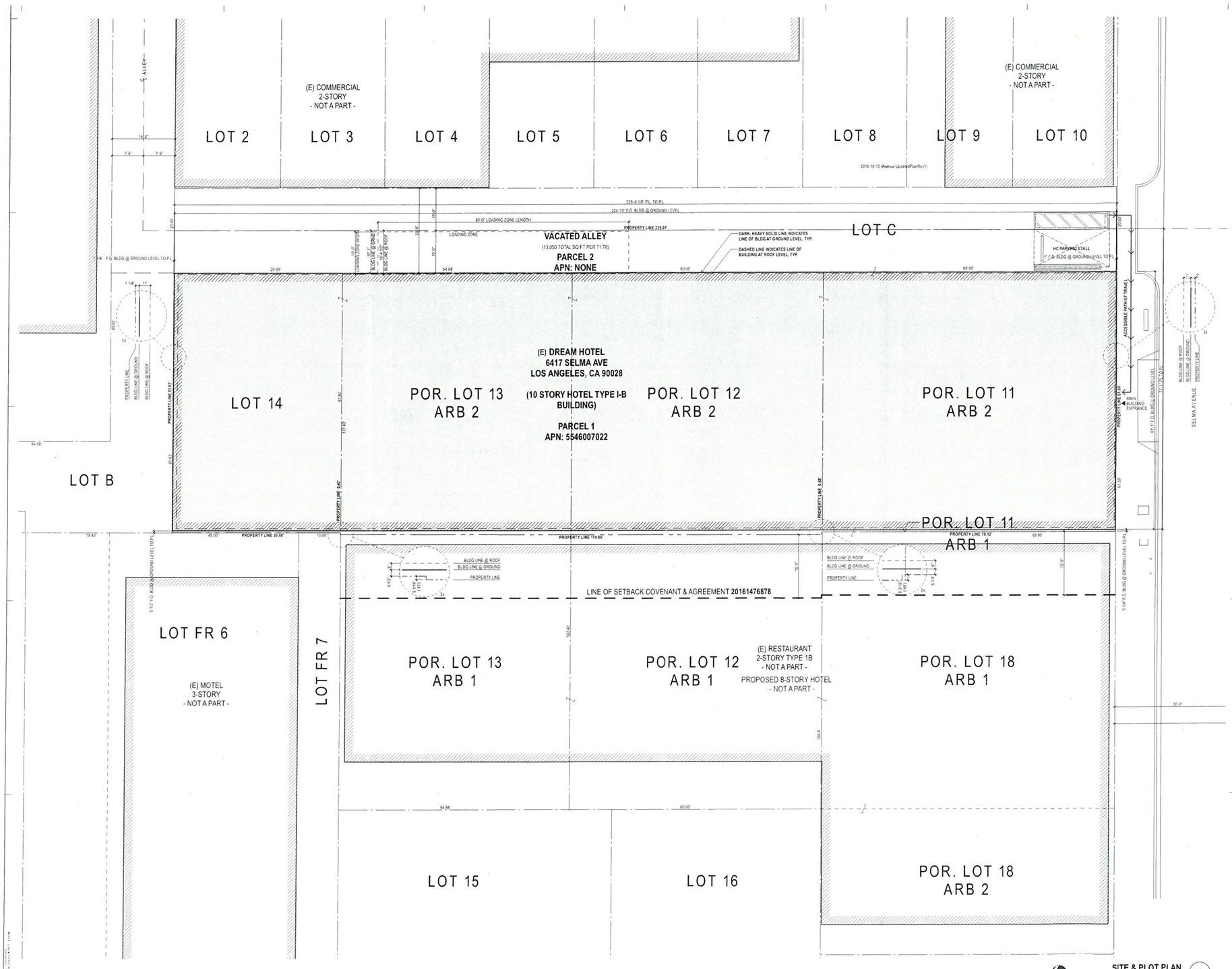
PROJECT NO: 36001.00
DATE: 11/5/18
SCALE: AS SHOWN
DRAWN BY:
SHEET TITLE: TITLE SHEET
SHEET NO: **T1.00**

ZA 2013-3504



SITE & PLOT PLAN
SCALE 1/8" = 1'-0" (1)

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ARCHITECTS

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90245

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DREAM
HOLLYWOOD HOTEL

6417 SELMA AVENUE
LOS ANGELES, CALIFORNIA 90028

DRAWING LOG

No	Date	
1	11.01.2018	Parking Revision Permit

DARRELL K. ROCKEFELLER
C-14927
30-18
REGISTERED ARCHITECT
STATE OF CALIFORNIA

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF ROCKEFELLER KEMPEL ARCHITECTS INC NO PART THEREOF SHALL BE REPRODUCED, COPIED, ADAPTED OR DISTRIBUTED TO OTHERS, PUBLISHED, SOLD OR OTHERWISE USED WITHOUT THE PRIOR WRITTEN CONSENT OF AND APPROPRIATE COMPENSATION TO ROCKEFELLER KEMPEL ARCHITECTS INC
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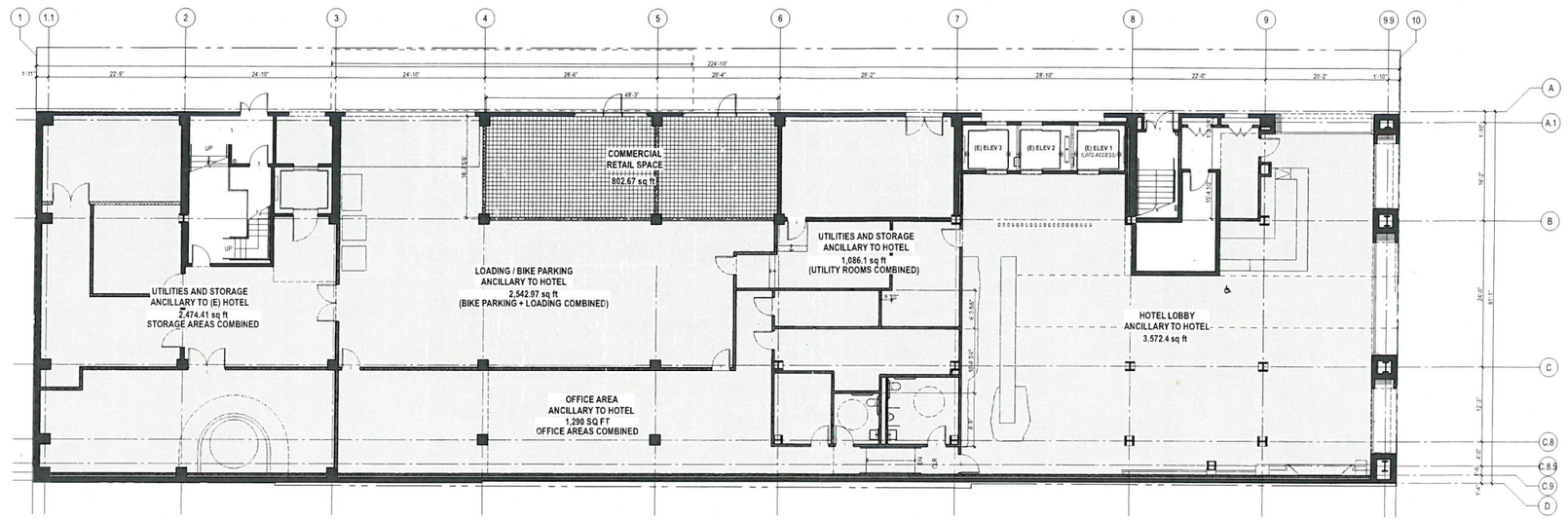
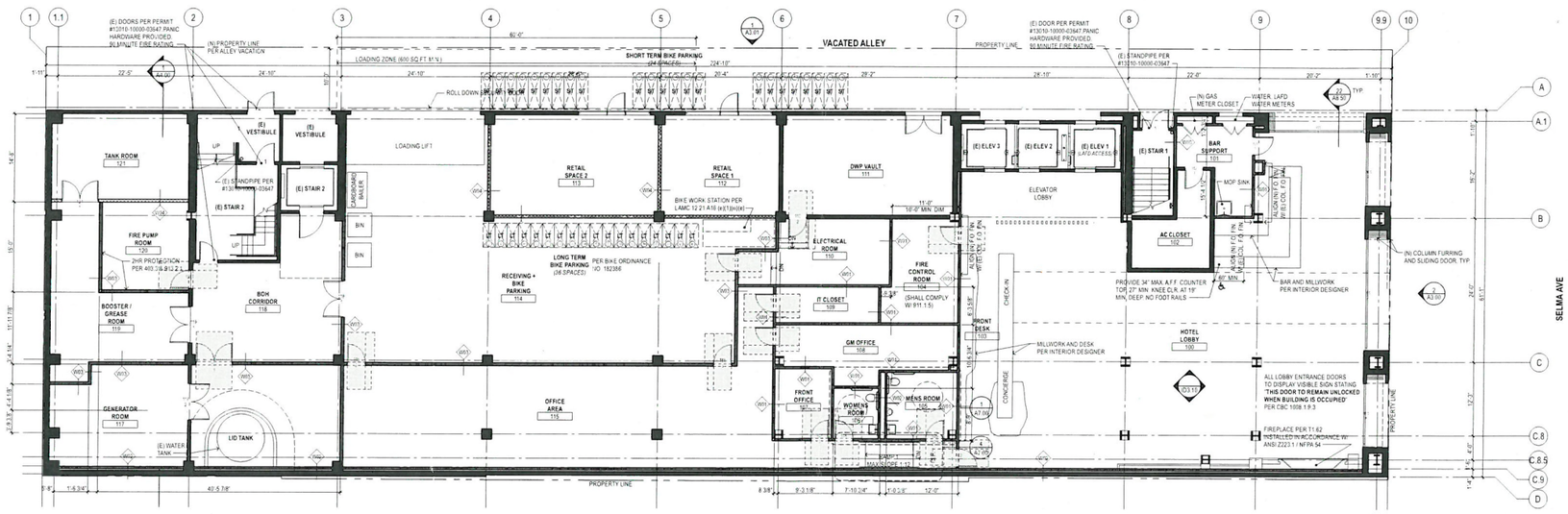
PROJECT NO: 36001.00
DATE: 11/5/18
SCALE: AS SHOWN
DRAWN BY:
SHEET TITLE:

SITE + PLOT PLAN

SHEET NO:
A1.00



PARKING AREA DIAGRAM: GROUND LEVEL 1



FLOOR PLAN: GROUND LEVEL 2
SCALE: 1/8" = 1'-0"

PARKING SUMMARY

VEHICLE PARKING

COMPACT 40%:	38 COMPACT SPACES
STANDARD 60%:	57 STANDARD SPACES
ACCESSIBLE SPACES REQ'D	(4 OF 57 (PER 11B-208.2))
	TOTAL 95 SPACES

14 SPACES BY LEASE
64 SPACES PER AFFIDAVIT AT 1541 WILCOX
17 SPACES PER AFFIDAVIT AT 6516 SELMA
TABLE 601

FROM PREVIOUS PERMIT

BIKE PARKING

TOTAL PROVIDED PER PERMIT 13010-10000-03647	11 SHORT TERM 11 LONG TERM
ADDED RESTAURANT ON ROOF **648** (1 PER 2000 SQ FT)	1 SHORT TERM 1 LONG TERM
ADDED COMMERCIAL ON GROUND **803** (1 PER 2000 SQ FT)	2 SHORT TERM 2 LONG TERM
TOTAL REQUIRED BIKE PARKING	**14 SHORT TERM 14 LONG TERM**

FROM PREVIOUS PERMIT

ADDITIONAL BIKE PARKING PROVIDED

	14 SHORT TERM **24** LONG TERM
UPDATED TOTAL PROVIDED BIKE PARKING	**25** SHORT TERM **36** LONG TERM
	64 TOTAL BIKE SPACES

PARKING CALCULATIONS

GROUND LEVEL AREA ADDED: 803 SQ FT OF COMMERCIAL RETAIL SPACE

COMMERCIAL RETAIL PARKING REQUIREMENTS 1 PER 500 PER BULLETIN PZC 2002-011 (ENTERPRISE ZONE)

803 / 500 = 1.61 - **2 ADDITIONAL SPACES REQUIRED PRIOR TO C of O**

77 TOTAL PARKED ON SITE (PLAN CPC 2007-3931-ZC-HD-CUB-ZV-SPR)
14 OFF-SITE PARKING SPOTS PROVIDED (VARIANCE NO. ZA 2013-3394 (ZV))
(91 SPACES ORIGINALLY PERMITTED)

2 SPACES ADDED FROM ROOF RECONFIGURATION PERMIT 13010-10000-03647

TOTAL REQUIRED PARKING: 95 TOTAL SPACES REQUIRED

-16 SPACE REDUCTION W/ BIKE PARKING PROVIDED PER LAMC 12.21.A4

79 TOTAL SPACES REQ'D

ON-SITE:	1 ADA SPACE
OFF-SITE (CONVENANT):	62 SPACES
OFF-SITE (LEASE):	17 SPACES

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HOLLYWOOD HOTEL

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LOS ANGELES, CALIFORNIA 90028

DRAWING LOG

No.	Date	
1	11.01.2018	Parking Revision Permit

LICENSED ARCHITECT DARRELL D. ROCKEFELLER C-14927 10-19 CIVIL STATE OF CALIFORNIA

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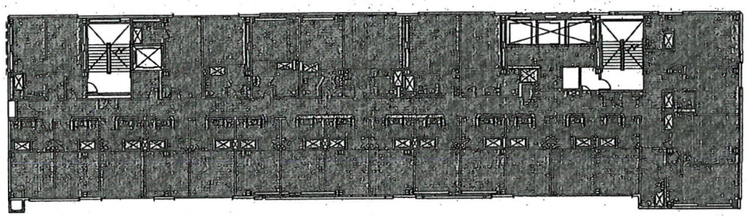
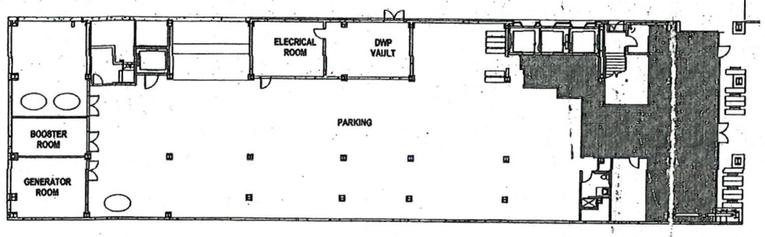
PROJECT NO: 36001.00
DATE: 11/5/18
SCALE: AS SHOWN
DRAWN BY:

SHEET TITLE
PARKING CALCULATIONS & GROUND LEVEL PLAN

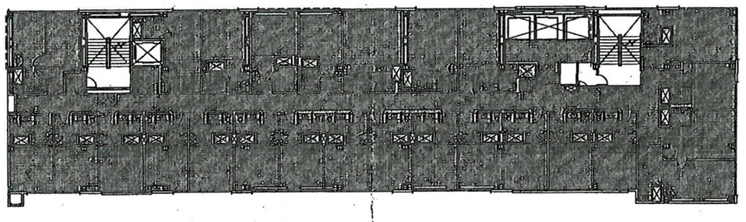
SHEET NO
A2.00



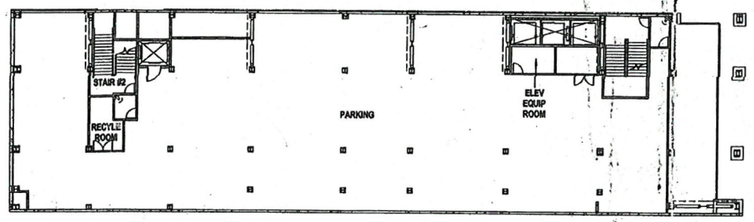
6TH FLOOR
1/16" = 1'-0" 16



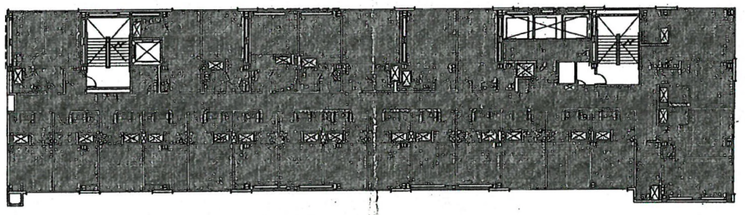
1ST FLOOR
1/16" = 1'-0" 1



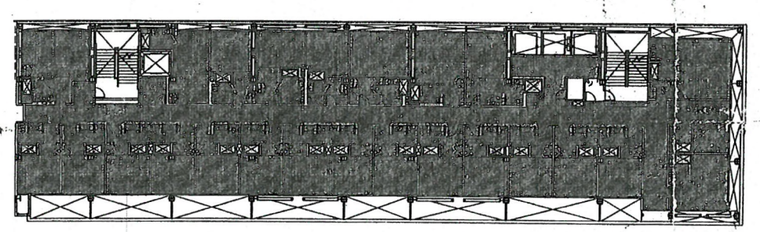
7th Floor
1/16" = 1'-0" 17



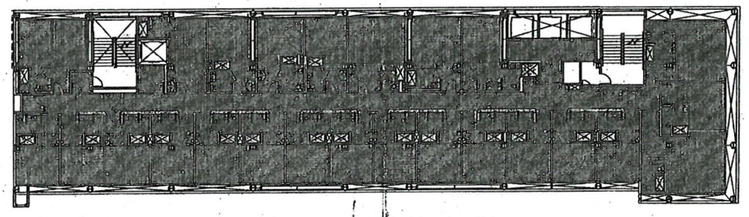
2ND FLOOR
1/16" = 1'-0" 2



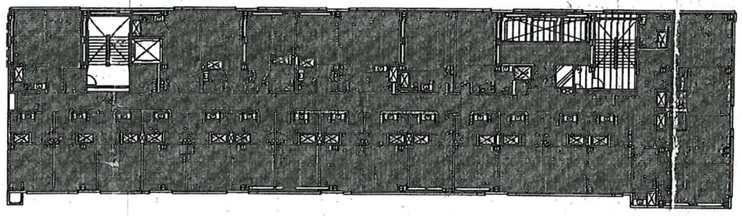
8TH FLOOR
1/16" = 1'-0" 18



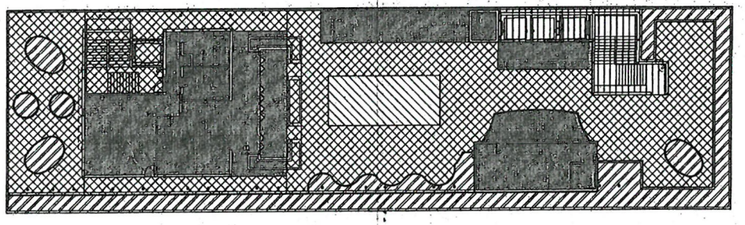
3RD FLOOR
1/16" = 1'-0" 3



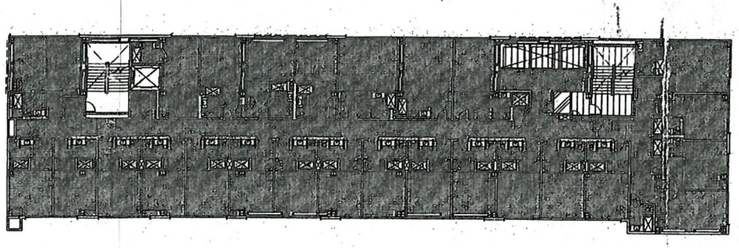
9TH FLOOR
1/16" = 1'-0" 19



4TH FLOOR
1/16" = 1'-0" 4



10TH FLOOR
1/16" = 1'-0" 20



5TH FLOOR
1/16" = 1'-0" 5

NOTES

FAR SCHEDULE

1ST FL FFE	
AREA	1705 SF
3RD FL FFE	
AREA	9741 SF
4TH FL FFE	
AREA	10847 SF
5TH FL FFE	
AREA	10847 SF
6TH FL FFE	
AREA	10847 SF
7TH FL FFE	
AREA	10847 SF
8TH FL FFE	
AREA	10847 SF
9TH FL FFE	
AREA	9741 SF
10TH FL FFE	
AREA	3898 SF
Grand total	79408 SF

LAMC SECTION 12.03 OF THE ZONING CODE DEFINES FLOOR AREA:

IS THAT AREA IN SQUARE FEET CONFINED WITHIN THE EXTERIOR WALLS OF A BUILDING, BUT NOT INCLUDING THE AREA OF THE FOLLOWING: EXTERIOR WALLS, STAIRWAYS, SHAFTS, ROOMS HOUSING BUILDING-OPERATING EQUIPMENT OR MACHINERY, PARKING AREAS WITH ASSOCIATED DRIVEWAYS AND RAMPS, SPACE FOR THE LANDING AND STORAGE OF HELICOPTERS, AND BASEMENT STORAGE AREAS.

LEGEND

- AREA
- DECK OPEN TO SKY (NOT FAR)
- PLANTER (NOT FAR)
- POOL (NOT FAR)
- SERVICE (NOT FAR)
- SHAFT (NOT FAR)

L.A. Fire Dept. Plan Check Title 19 LAMC 57.20

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 7/2/14
Comments: ZA-183-3260(A)
CPC-2007-3701-ZC-HD-BU-SPR
CUB-10-SPR
2/10

KFA
1025 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.399.7975
KFALOSANGELES.COM

Dream Hollywood Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

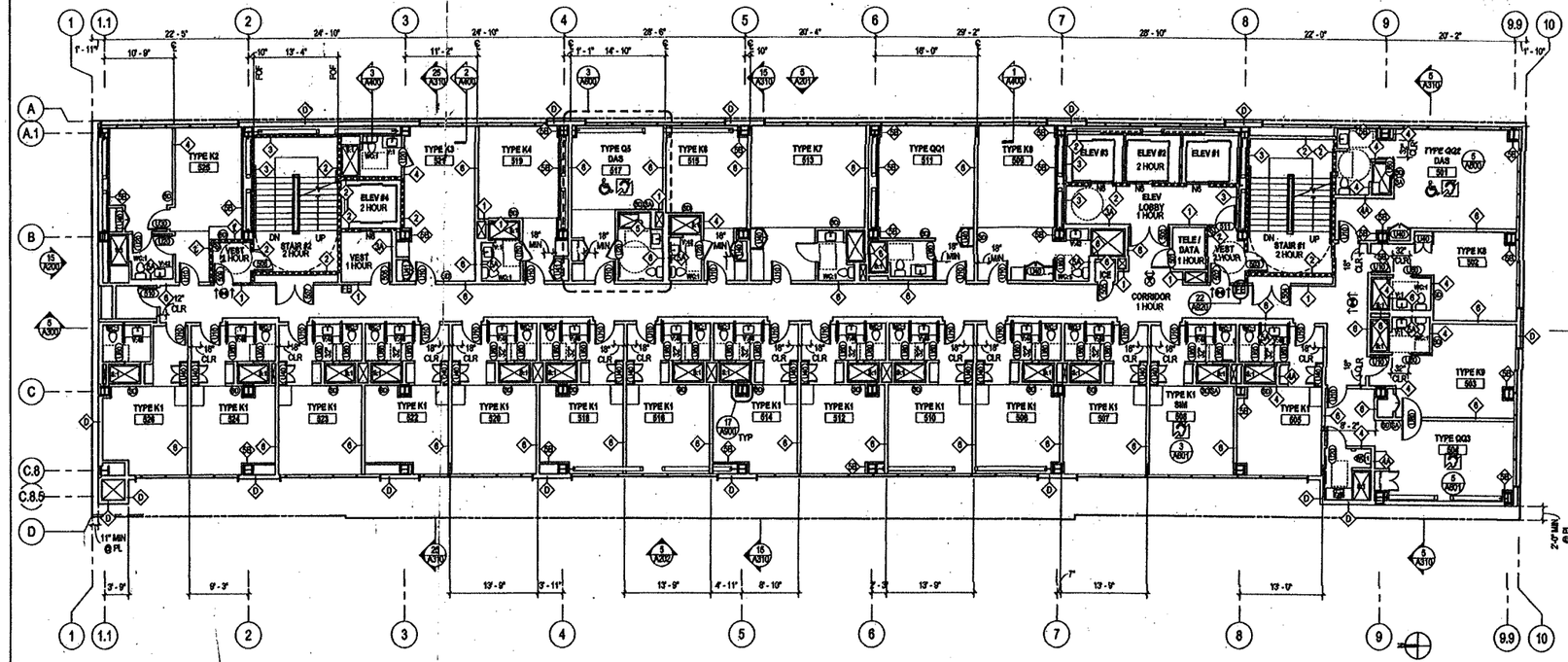
REGISTERED ARCHITECT
Richard Kelly
CALIFORNIA
THE DESIGNS AND OF SUCH DRAWINGS ARE THE PROPERTY OF KFA AND SHALL NOT BE USED IN WHOLE OR IN PART FOR ANY PURPOSE WITHOUT THE EXPRESSED WRITTEN PERMISSION OF KFA

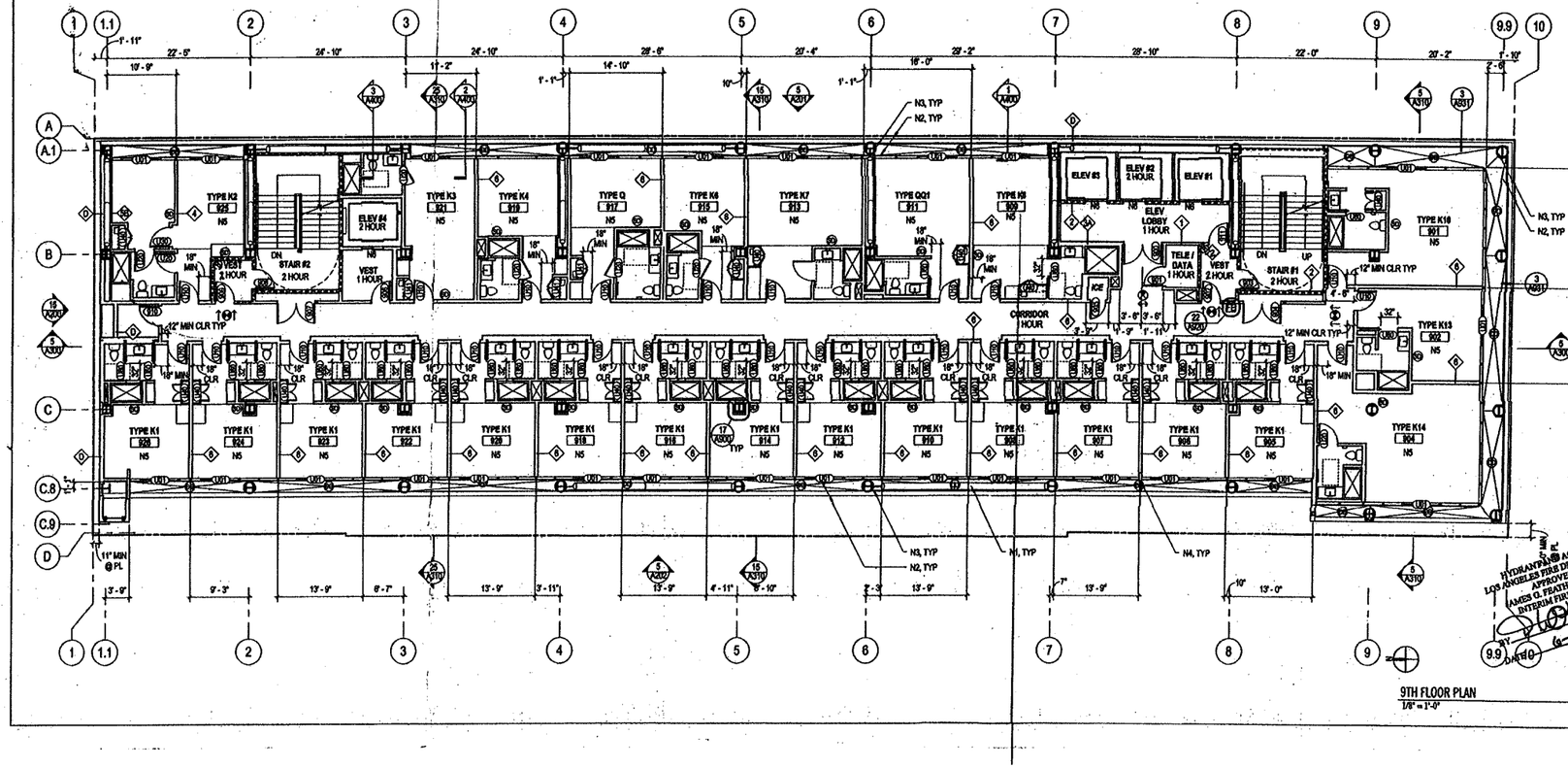
13010
05.14.14

FAR PLANS

G023

13010-10000-03647





HYDRANT @ ACCESS
LOS ANGELES FIRE DEPARTMENT
APPROVED
JAMES O. FRIEDRICHS
INTERIM FIRE MARSHAL
DATED: 6-12-14

NOTES

1. BRACE FRAME, SEE STRUCTURAL DRAWINGS
2. TILE
3. METAL COLUMN COVER.
4. PATIO DIVIDE, 6'-0" AFF
5. REFERENCE TYPICAL FLOOR PLAN FOR ADDITIONAL INFORMATION, IE DIMENSIONS, NOTES, DOOR TAGS, ETC.
6. ELEVATOR DOOR - 90 MIN

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOS UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G040-G042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. ALL BATHROOM FIXTURES IN NON DAS GUEST ROOMS TO BE IN A LOCATION THAT ALLOWS A PERSON USING A WHEELCHAIR MEASURING 30" X 48" TO TOUCH THE WHEELCHAIR TO ANY LAVATORY, WATER CLOSET, TUB AND SHOWER STALL.

G. LOCATION AND QUANTITY OF SMOKE DETECTORS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR.

LEGEND

- WALL TYPE, SEE
- LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS APPROVED
- UTILITY PENETRATION DESIGNED ACCESSIBLE - COMBINED
- 1/4" PER FOOT SLOPE
- 2-HOUR WALL
- 1-HOUR WALL
- DECK DRAIN, SEE
- S.# SHOWER TYPE
- V.# VANITY TYPE
- T.# BATHTUB TYPE
- WC.# WATER CLOSET TYPE
- HEARING IMPAIRED GUEST ROOM
- L.A. Fire Dept. Plan Check Title 19 LAMC 57.09

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 7/1/14 By: Paul Hu
Comments: CPC-2007-3281-VZC-HD-SPR-ZA-2014-3282-ZV-ZAD-SPR
13g19

LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY
DISABLED ACCESS APPROVED
This set of plans and specifications shall not be held to comply with any specific laws and ordinances stated or accessible to the department at the time of approval. Approval of this set of plans and specifications shall not be held to comply with any subsequent laws and ordinances stated or accessible to the department at the time of approval. Approval of this set of plans and specifications shall not be held to comply with any subsequent laws and ordinances stated or accessible to the department at the time of approval. Approval of this set of plans and specifications shall not be held to comply with any subsequent laws and ordinances stated or accessible to the department at the time of approval.
ACCESSIBLE GUEST ROOMS - 4% OF TOTAL GUEST ROOMS
HEARING IMPAIRED GUEST ROOMS - 2% OF TOTAL GUEST ROOMS
ACCESSIBLE GUEST ROOMS - 4% OF TOTAL GUEST ROOMS
HEARING IMPAIRED GUEST ROOMS - 2% OF TOTAL GUEST ROOMS
BY: 15151-10000-03647
BY: 15151-10000-03647

KFA
1823 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.398.7975
KFALOSANGELES.COM

Dream Hollywood Hotel

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LOS ANGELES, CA

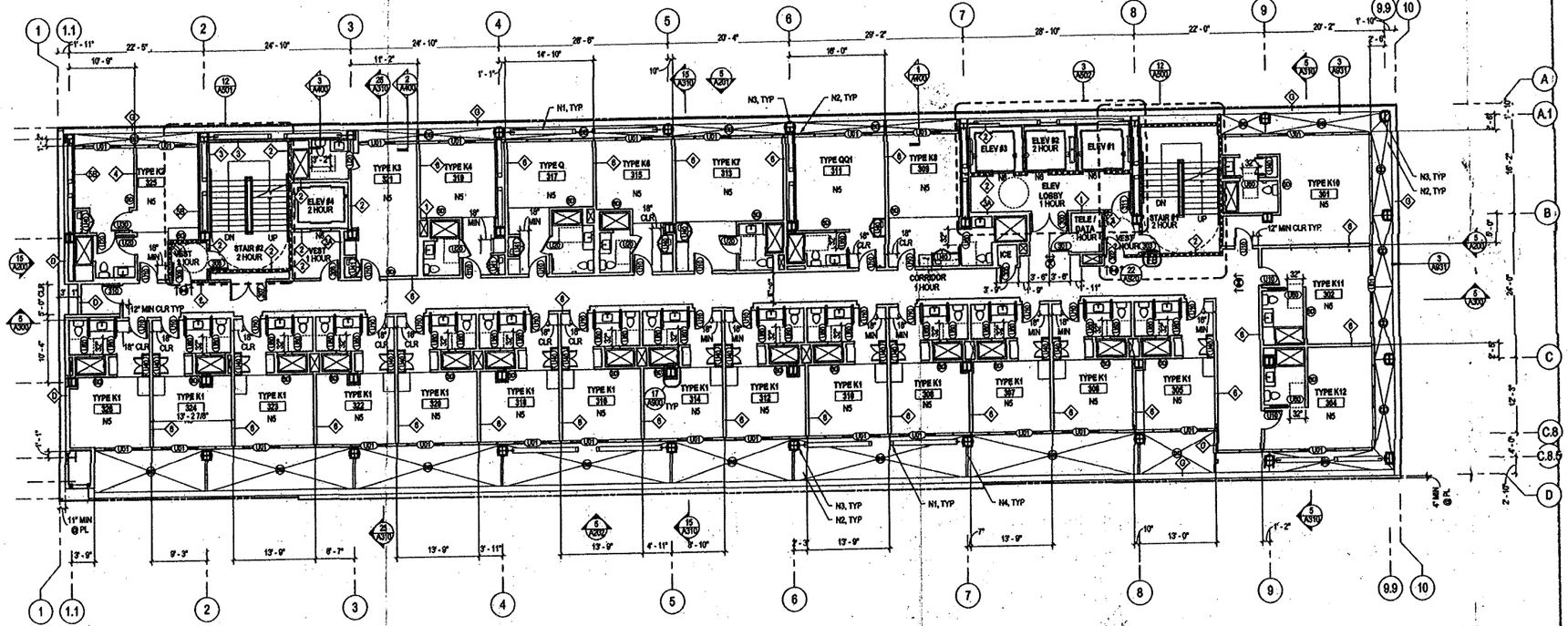
6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

JOB NUMBER 13010
DATE 05.14.14

SHEET TITLE
5TH & 9TH FLOOR PLANS (FLOORS 4,6,7 & 8 TYPICAL)

SHEET NUMBER
A105

13010 - 10000 - 03647



NOTES

1. BRACE FRAME, SEE STRUCTURAL DRAWINGS
2. TILE
3. METAL COLUMN COVER
4. PATIO DIVIDE, 8'-0" AFF
5. REFERENCE TYPICAL FLOOR PLAN FOR ADDITIONAL INFORMATION, IE DIMENSIONS, NOTES, DOOR TAGS, FIXTURE TAGS, ETC.
6. ELEVATOR DOOR - 90 MIN

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 2/7/14 By:
Comments: ZA-2013-2832-ZV, ENV-2013-2931-EAF-1A, CW-CUB-SPR

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOS UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G010-G042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 3A:10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. ALL BATHROOM FIXTURES IN NON DAS GUEST ROOMS TO BE IN A LOCATION THAT ALLOWS A PERSON USING A WHEELCHAIR MEASURING 30" X 48" TO TOUCH THE WHEELCHAIR TO ANY LAVATORY, WATER CLOSET, TUB AND SHOWER STALL.

G. LOCATION AND QUANTITY OF COMBO SMOKE AND CARBON MONOXIDE DETECTORS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR.

H. INSTALLED AUTOMATIC IRRIGATION SYSTEM CONTROLLERS ARE WEATHER - OR SOIL-BASED CONTROLLERS. PER 6.304.3.1, 10.304.3.1.

J. AUTOMATIC LANDSCAPE IRRIGATORS SHALL BE INSTALLED SUCH THAT WATER DOESN'T SPRAY ON THE BUILDING. PER 5.407.2.1, 10.407.2.1.

LEGEND

- WALL TYPE, SEE A600
- CLASS 1 STANDPIPE - COMBINED
- 1 HOUR WALL PER U301 OR U305 FOOT SLOPE UNO
- 2 HOUR WALL
- 60" Ø CLEAR
- 30" X 48" CLEAR FLOOR SPACE
- ACCESSIBLE GUEST ROOM
- HEARING IMPAIRED GUEST ROOM
- DECK DRAIN, SEE
- S:# SHOWER TYPE
- V:# VANITY TYPE
- T:# BATHTUB TYPE
- WC:# WATER CLOSET

HYDRANT AND ACCESS
LOS ANGELES FIRE DEPARTMENT
APPROVED
JAMES G. FEATHERSTONE
INTERIM FIRE CHIEF
BY: 6-12-14
DATE

LA Fire Dept. Plan Check Title 19 LAMC 57.09

CITY OF LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY
APPROVED
DEPUTY

This set is deemed complete with respect to items required for public hearing. Additional items may be required prior to issuance of building permit.

The approval of this set of plans does not include approval of any portion which requires separate permit and approval.

Date: 05.21.14 By:

KFA
1625 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.392.7272
KFALOSANGELES.COM

Dream Hollywood Hotel

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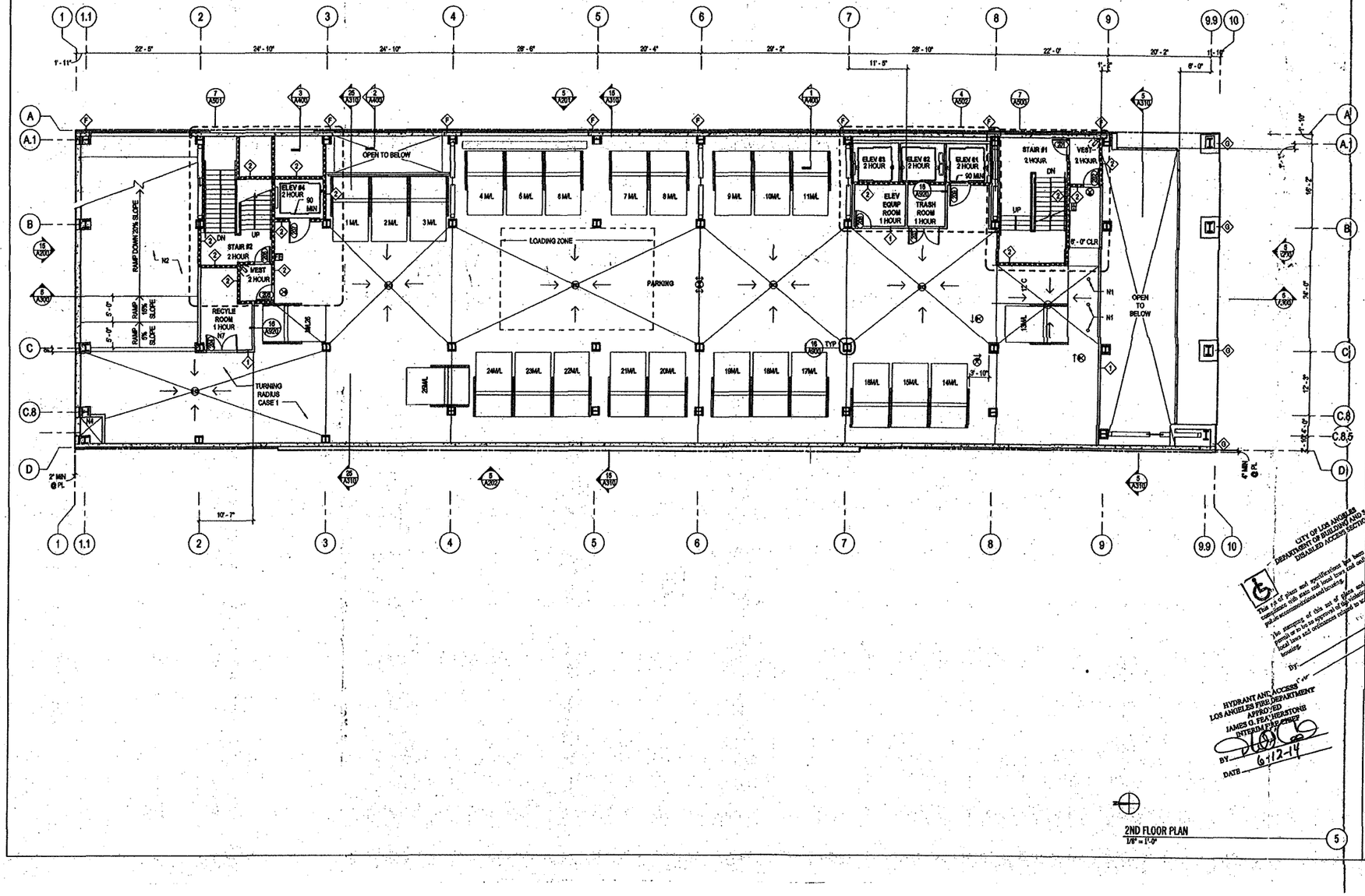
6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028.

JOB NUMBER 13010
DATE 05.14.14

SHEET TITLE
3RD FLOOR PLAN

SHEET NUMBER
A103

13010-10800-63647



NOTES

1. BOLLARD
2. CONRETE RAMP, SEE STRUCTURAL DRAWINGS

KFA
1625 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.998.7975
KFALOSANGELES.COM

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 7/24/14 By:
DIR 2007-378-DR
Comments: ZA 2013-2504-ZV

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

D. PROVIDE PIPE GUARDS AT ALL EXPOSED PIPES PER DETAIL 14/A920.

E. MIN CLEAR HEIGHT TO THE BOTTOM OF PLUMBING, ELECTRICAL, MECHANICAL PROJECTIONS AND BOTTOM OF STRUCTURAL ELEMENTS SHALL NOT BE LESS THAN 7'-0".

F. PARKING SPACES SHALL NOT OBSTRUCT REQUIRED EXITS.

G. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

LEGEND

- CLASS I STANDPIPE, COMBINED
- 2 HOUR, SEE WALL TYPES
- CONCRETE WALL, 2 HOUR PER LACBC 720.1.4-1.1 SEE STRUCTURAL DRAWINGS
- 1 HOUR PER LACBC 720.1.3-1 SEE STRUCTURAL DRAWINGS
- 2% MIN CLEAR FOOT SLOPE
- EMERGENCY DRAIN
- VEHICLE CAR LIFT (27 A920)
  (FIRE PROTECTION TO BE PROVIDED AS NOTED IN LARR #935501)

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
DISABLED ACCESS SECTION
This set of plans and specifications has been reviewed and is approved to be in compliance with state and local laws and ordinances related to accessibility for persons with disabilities. The issuance of this set of plans and specifications shall not be construed to be a permit or an approval of any violation of any provisions of state or local laws and ordinances related to accessibility for persons with disabilities.
By:

HYDRANT AND ACCESS
LOS ANGELES FIRE DEPARTMENT
APPROVED
JAMES O. FEATHERSTONE
INTERIM FIRE CHIEF
BY
DATE 6/12/14

LA. Fire Dept. Plan Check Title 19 LAMC 57.09

Dream Hollywood Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

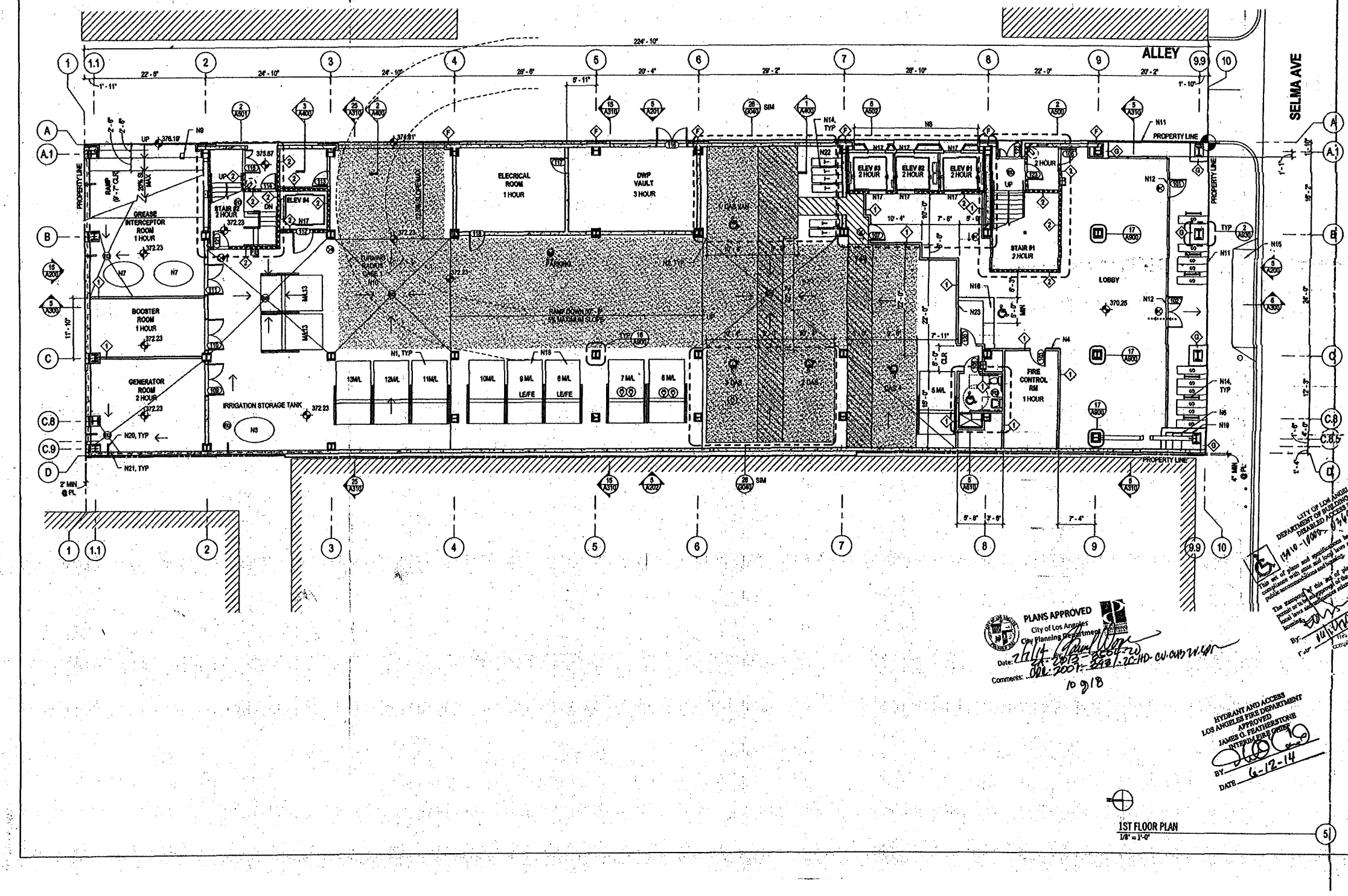
LICENSED ARCHITECT
C-14402
RENEWAL 08/31/2015
STATE OF CALIFORNIA

JOB NO. 13010
DATE 05.14.14
REVISIONS

SHEET TITLE
2ND FLOOR PLAN

SHEET NO.
A102

13010-10000-03647



NOTES

1. MECHANICAL CAR LIFT
2. PARKING SPACE STRIPING
3. SUMP TANK
4. ANNUNCIATOR PANEL
5. FIRE SERVICE CONNECTION
6. DOMESTIC WATER
7. GREASE INTERCEPTOR BELOW SLAB
8. DECORATIVE WOOD PANELS AT ELEVATOR ENTRANCE
9. FUEL FILL PORT FOR 250 GALLON TANK
10. REQUIRED TURNING RADIUS FOR PARKING AREA WITH LESS THAN 25 STALLS
11. LINE OF FLOOR ABOVE
12. NONABSORBENT INTERIOR FLOOR AND WALL FINISHES WITHIN AT LEAST TWO FEET AROUND AND PERPENDICULAR TO OPENING.
13. NOT USED
14. BIKE RACK - HEAVY DUTY BIKE RACK ANCHOR BOLT
15. PASSENGER LOADING ZONE, SEE SITE PLAN AND SITE NOTES ON SHEET A001 AND DWG. 25/G040.
16. ACCESSIBLE COUNTER - KEEP TABLE TOP BETWEEN 28" - 34" HEIGHT PER DAS REQUIREMENTS. KEEP KNEE CLEARANCES MIN 27"H X 30"W X 19"D
17. FIRE AND SMOKE GUARD PER ICC ES AC 77
18. PARKING STALL RESERVED FOR LOW EMITTING, FUEL-EFFICIENT, AND CARPOOL/VAN POOL VEHICLES. PROVIDE PERMANENT SIGN TO DESIGNATE PARKING SPACE
19. IRRIGATION METER
20. WEEP
21. DRAIN, SET IN WALL
22. GAS METER
23. TDM SIGN

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHEETS G040-G042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE PIPE GUARDS AT ALL EXPOSED PIPES PER DETAIL 14/A920.

F. MIN CLEAR HEIGHT TO THE BOTTOM OF PLUMBING, ELECTRICAL, MECHANICAL PROJECTIONS AND BOTTOM OF STRUCTURAL ELEMENTS SHALL NOT BE LESS THAN 7'-0".

G. PARKING SPACES SHALL NOT OBSTRUCT REQUIRED EXITS.

H. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

J. PARKING STALLS TO BE DOUBLE STRIPED PER LAMC 12.21 A5, CHART 5.

K. PROVIDE 50,000 GALLON FIRE WATER STORAGE TANK.

LEGEND

- CMU WALL - 1 HOUR, SEE WALL TYPES
- CONCRETE WALL 1 HOUR PER LACBC 720.1.4-1.1 SEE STRUCTURAL DRAWINGS
- CMU WALL 2 HOUR PER LACBC 720.1.3.-1 SEE STRUCTURAL DRAWINGS
- GROUNDED AC OUTLET FOR FUTURE ELECTRIC VEHICLE CHARGING STATIONS, 2008/GC4.106 AND
- ACCESSIBLE PATH OF TRAVEL
- EMERGENCY DRAIN
- VEHICLE CAR LIFT (FIRE PROTECTION TO BE PROVIDED AS NOTED IN LAFD #030001)
- PATH OF TRAVEL FROM PARKING TO LOBBY - 6'-2" MIN VERTICAL CLEAR
- 5% MAX PER FOOT SLOPE

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 2/11/14
Comments: DIR-2013-2661-TDM-SPR-ZCHD-CU-CUB-ZV-MSP
10 of 18

HYDRANT AND ACCESS
LOS ANGELES FIRE DEPARTMENT
APPROVED
JAMES O. FEATHERSTONE
INTERIM FIRE MARSHAL
BY
DATE 6-12-14

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
DISABLED ACCESS SECTION
(310) 231-2600

This set of plans and specifications has been reviewed and is approved for compliance with disabled access requirements.
The approval of this set of plans and specifications does not permit the violation of any provisions of the State Building Regulations or other laws or regulations. Approval of these plans and specifications does not imply that any omissions have been corrected.
By: 4/11/2014

Date of construction shall be within 180 days of this approval date.
This set of plans and specifications must be kept on the construction site at all times during construction.
It is unlawful to alter, change, or deface this approval.
The stamping of this plan does not be construed to be approval of a violation of any provisions of any Ordinance or Law.

Sheet 5 of 8 Sheets

KFA
1639 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.399.7975
KFALOSANGELES.COM

Hollywood Dream Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

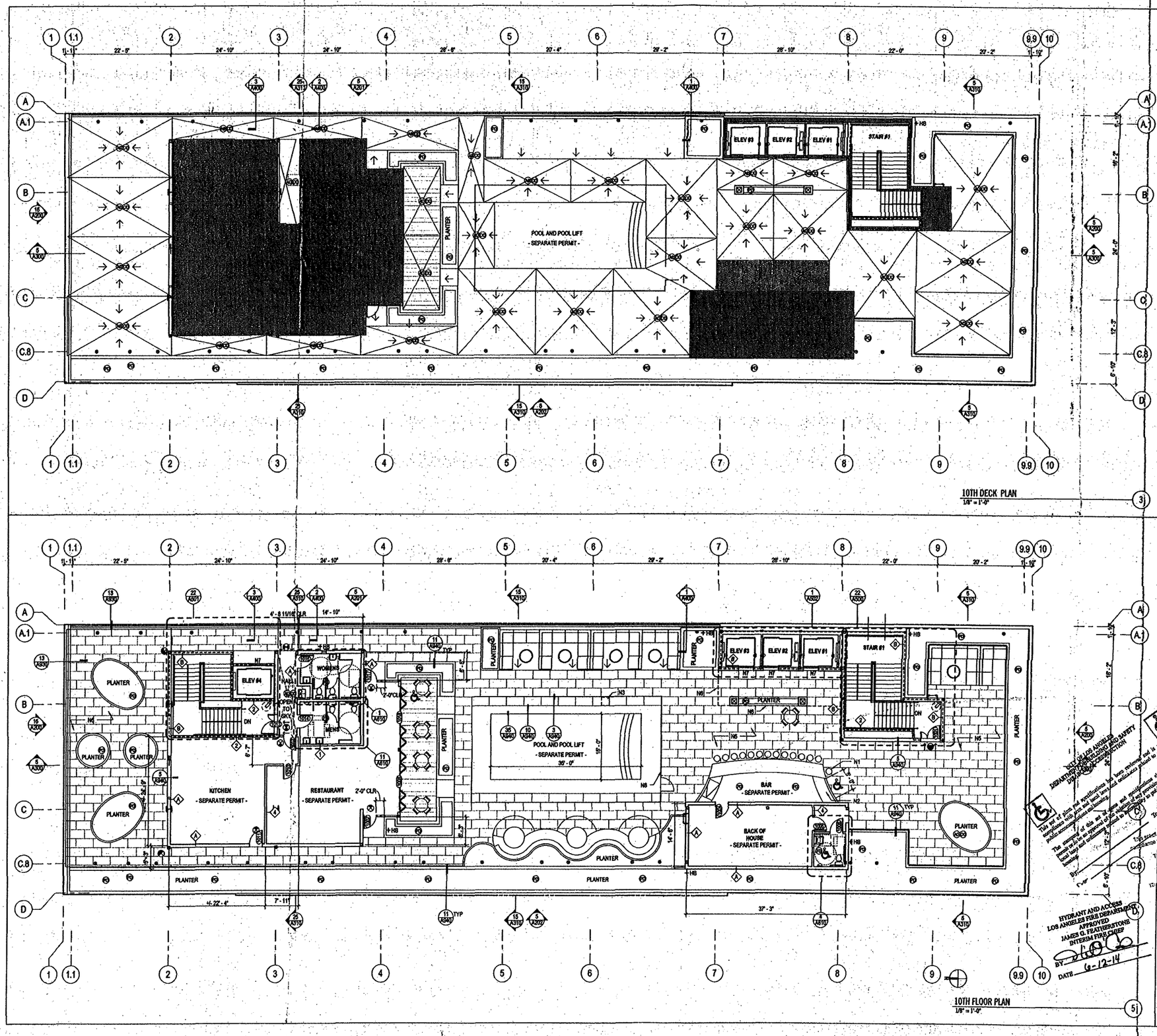
LICENSED ARCHITECT
MARK D. KAPLAN
No. C-13125
RENEWAL 08/31/2015
STATE OF CALIFORNIA

Job No. 13010
Date 05.14.14

1ST FLOOR PLAN

A101

13010-10000-03647



NOTES

1. COMPANION SEAT PER DAS REQUIREMENTS
2. KEEP TABLE TOP BETWEEN 28" - 34" HEIGHT PER DAS REQUIREMENTS. KEEP KNEE CLEARANCES MIN 27"H X 30"W X 19"D
3. POOL ASSISTING LIFT FOR DISABLED ACCESS - SPECIFICATION AND INFORMATION TO BE PROVIDED UNDER SEPARATE PERMIT
4. TRENCH DRAIN
5. ARCHITECTURAL PAVERS
6. EDGE OF ROOF ABOVE
7. ELEVATOR DOOR - 90 MIN
8. PROPOSED LOCATION OF POOL GATE, FINAL LOCATION AS APPROVED BY HEALTH DEPARTMENT, TO BE PROVIDED UNDER SEPARATE PERMIT

PLANS APPROVED
City of Los Angeles
City Planning Department
Date: 7/7/14
Comments: ZA-2013-3669-ZV
DIR-2007-3391-SPP
14718

SHEET NOTETS

A. ALL DIMENSIONS ARE TO FOS UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHEETS G040-G042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MIN RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. LOCATION AND QUANTITY OF EXIT SIGNS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR. REVIEW LOCATIONS WITH INSPECTOR PRIOR TO INSTALLATION.

G. INSTALLED AUTOMATIC IRRIGATION SYSTEM CONTROLLERS ARE WEATHER - OR SOIL-BASED CONTROLLERS. PER 5.304.3.1, 10.304.3.1.

H. AUTOMATIC LANDSCAPE IRRIGATORS SHALL BE INSTALLED SUCH THAT IT DOESN'T SPRAY ON THE BUILDING. PER 5.407.2.1, 10.407.2.1.

HYDRANT AND ACCESS
LOS ANGELES FIRE DEPARTMENT
APPROVED
JAMES O. FEATHERSTONE
INTERIM FIRE CHIEF
BY
DATE 6-12-14

LEGEND

- CLASS 1 STANDPIPE - COMBINED
- 2-HOUR ASSEMBLY, SEE WALL TYPES
- FIXED GAWV TIE DOWN ANCHOR - FLUSH
- TIE BACK ANCHOR
- DOUBLE TIE BACK ANCHOR
- HB HOSE BIBB
- PLANTER
- PLANTER DRAIN
- AREA DRAIN / OVERFLOW DRAIN, SEE 16 A5410

L.A. Fire Dept. Plan Check Title 19 LAMC 57.09

KFA
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310.399.7978
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Dream Hollywood Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

6417 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

C-13422
EXP. 2-29-2015
STATE OF CALIFORNIA

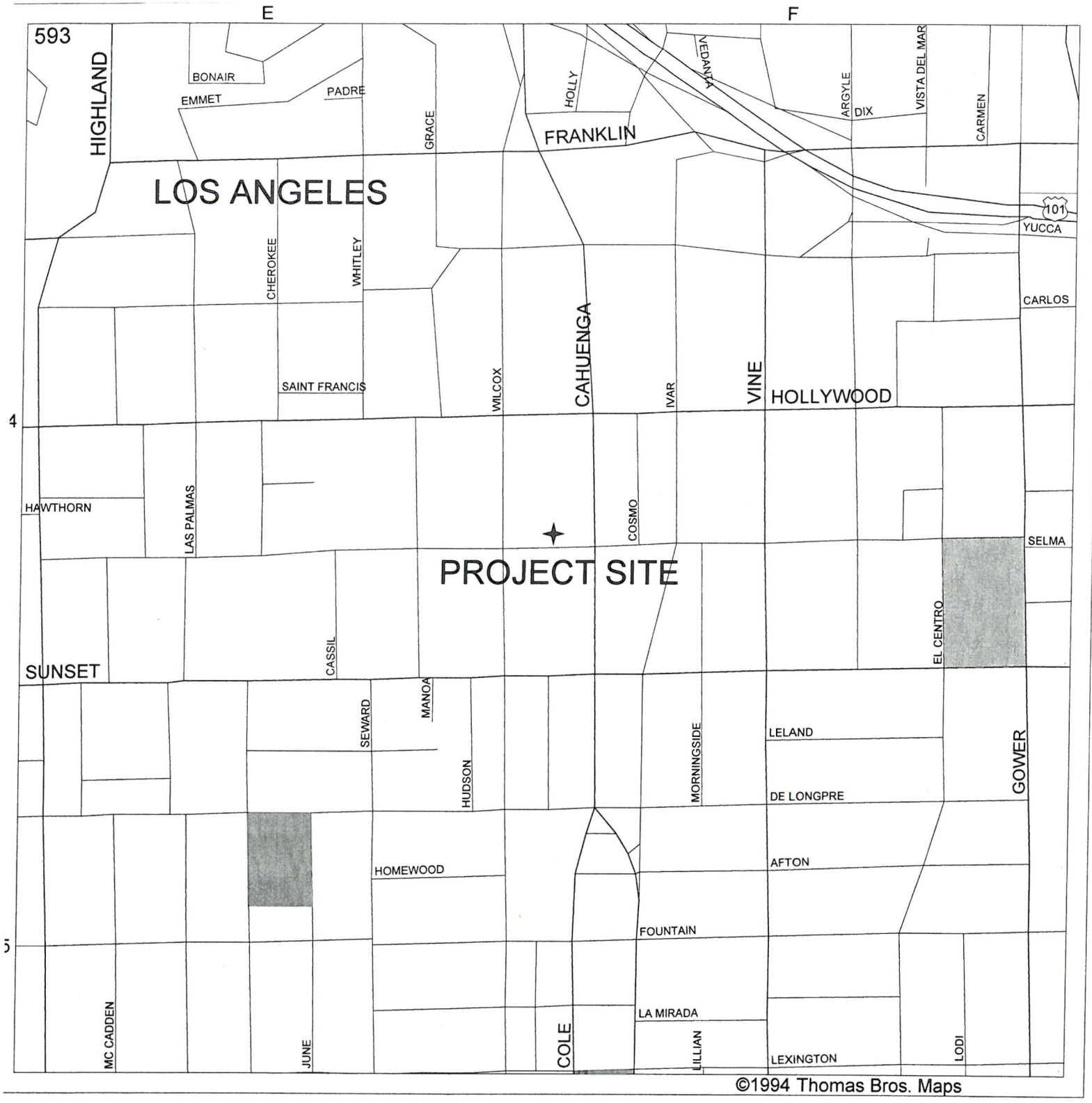
JOB NUMBER 13010
DATE 05.14.14

SHEET TITLE
10TH FLOOR DECK AND 10TH FLOOR PLAN

SHEET NUMBER A110

13010-10000-03447

RADIUS MAP



ZA 2013-3504

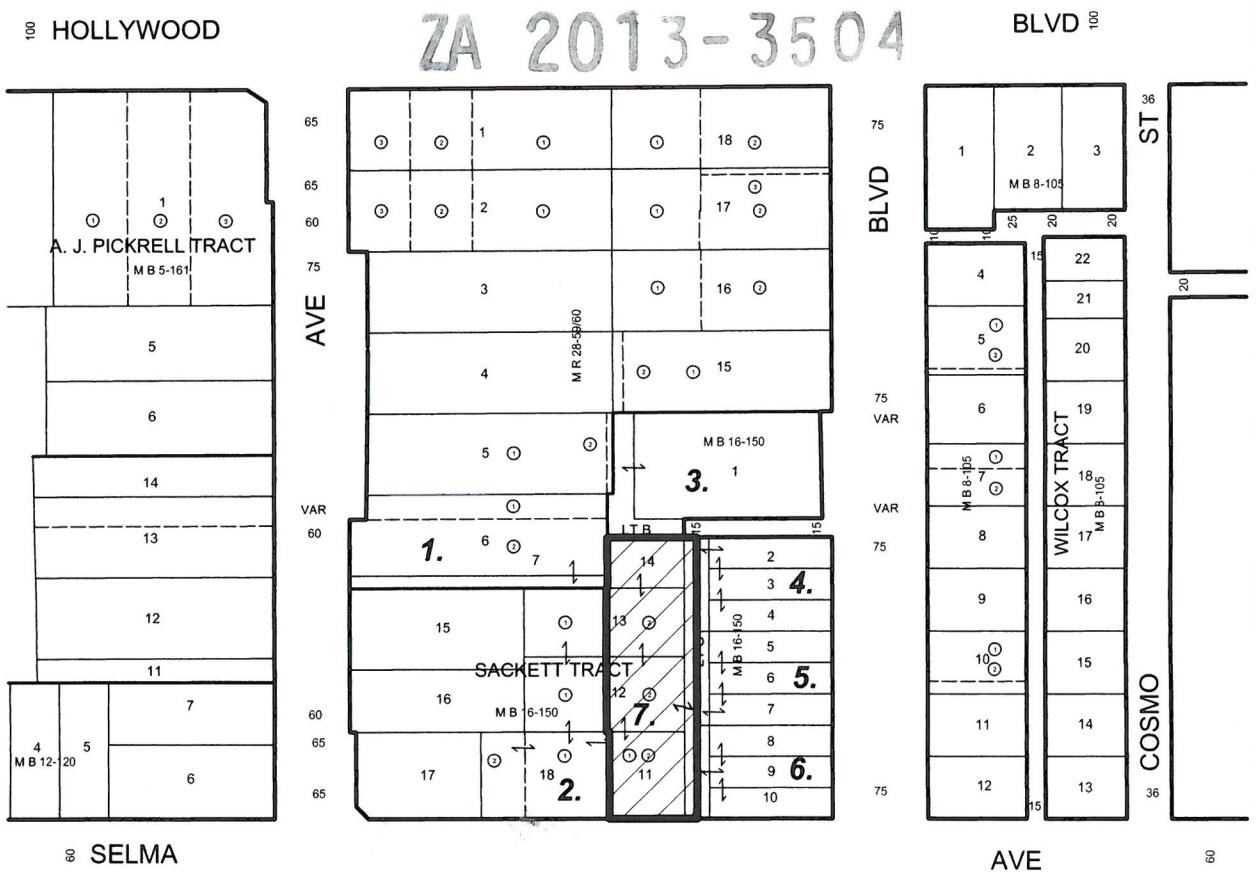
VICINITY MAP

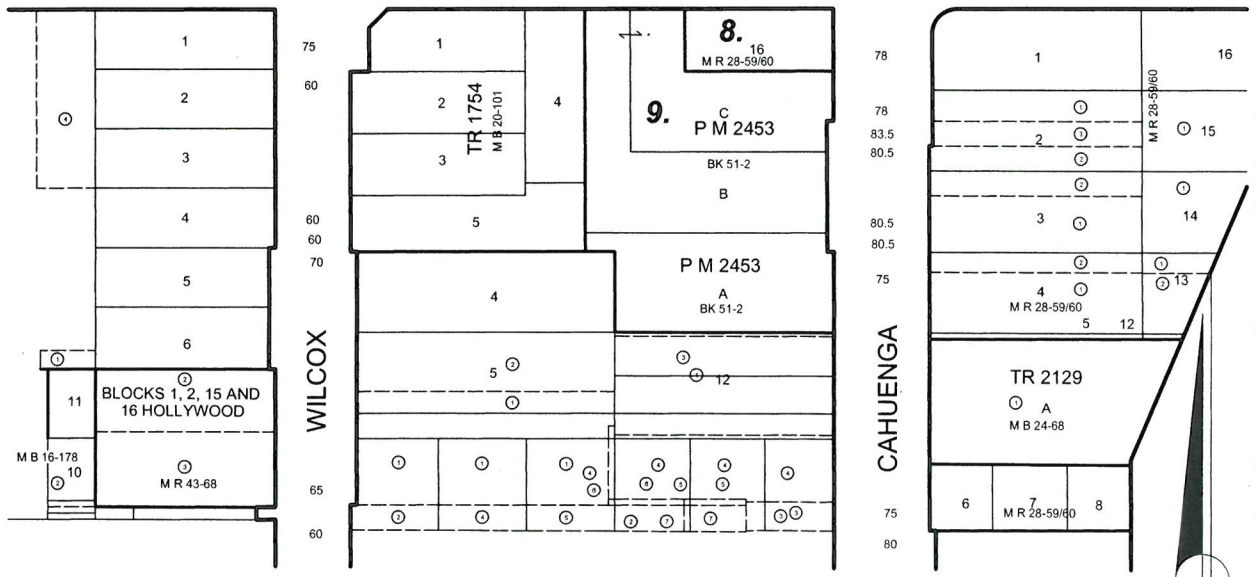
SITE : 6415-6419 W. SELMA AVENUE

GC MAPPING SERVICE, INC.
3055 WEST VALLEY BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080, FAX (626) 441-8850
GCMAPPING@RADIUSMAPS.COM

CITY OF LOS ANGELES

ZA 2013-3504





ADJACENT OWNERS MAP

GC MAPPING SERVICE, INC.
3055 WEST VALLET BOULEVARD
ALHAMBRA CA 91803
(626) 441-1080, FAX (626) 441-8850
gcmapping@radiusmaps.com

LEGEND

7. OWNERSHIP NO.

OWNERSHIP HOOK

CASE NO.
DATE: 10 - 31 - 2018
SCALE: 1" = 100'
D.M. 148.5 A 187

OWNERSHIP MAP

CORRESPONDENCE

SheppardMullin

Sheppard, Mullin, Richter & Hampton LLP
333 South Hope Street, 43rd Floor
Los Angeles, California 90071-1422
213.620.1780 main
213.620.1398 fax
www.sheppardmullin.com

213.617.5567 direct
afraijo@sheppardmullin.com

File Number: 49JZ-228504

September 9, 2020

VIA ELECTRONIC MAIL ONLY

Associate Zoning Administrator Frank Quon
City of Los Angeles
Department of City Planning
200 N. Spring Street, Room 763
Los Angeles, California 90012
E-Mail: frank.quon@lacity.org

Mr. Oliver Netburn
City of Los Angeles
Department of City Planning
200 N. Spring Street, Room 763
Los Angeles, California 90012
E-Mail: oliver.netburn@lacity.org

Re: Response to Comment Letters (Case Nos. ZA-2013-3504-ZV-PA1; ENV-2018-7559-CE)

Dear Zoning Administrator Quon and Mr. Netburn:

This firm represents 6417 Selma Holdings, LLC ("Applicant") regarding the proposed Plan Approval (Case No. ZA-2013-3504-ZV-PA1), seeking to modify the conditions contained in Case Nos. ZA-2013-3504-ZV ("2014 Zone Variance Approval") and CPC-2007-3931-ZC-HD-CU-ZV-SPR ("2008 Zone Change Approval"), for the Dream Hotel located at 6415-6417 West Selma Avenue ("Site") in the Hollywood area of the City of Los Angeles ("City"). The Dream Hotel is fully constructed and has been operating since 2017. This Plan Approval requests to modify the existing approvals to capture additional constructed floor area ministerially approved by Los Angeles Department of Building and Safety ("LADBS") in 2016 and 2017 during the plan check of the Dream Hotel (Permit Nos. 13010-10007-03647 and 13010-10006-03647) ("Building Permit Approvals"). Specifically, the Plan Approval requests the following modifications to reflect existing conditions, (1) the total floor area to permit 93,803 square feet in lieu of 79,376 square feet; (2) the total lot size to 16,173 square feet in lieu of 13,923 square feet to reflect the subsequent alley vacation (Case No. VAC-E1401249)("2016 Street Vacation Approval"); and (3) the number of parking spaces to be provided off-site by covenant or lease agreement in lieu of the otherwise permitted 14 automobile parking spaces ("Project"). No physical alterations are proposed or requested as part of the Project.

The Applicant is in receipt of the following three comment letters submitted to the City:

1. Letter submitted by Casey Maddren, dated May 4, 2020 ("Maddren Letter").
2. Letter submitted by David Carrera, dated May 28, 2020 ("Carrera Letter #1").
3. Letter submitted by David Carrera, dated May 31, 2020 ("Carrera Letter #2").

The purpose of this letter is to respond to the issues raised in the comment letters referenced above. Parker Environmental Consultants prepared the CEQA Class 1 Categorical Exemption

for the Plan Approval (Case No. ENV-2018-7559-CE) and also prepared a response letter addressing the comment letters listed above ("Parker Letter"). See **Attachment A**. The following provides additional responses. We respectfully request that this letter be considered by the Zoning Administrator and included in the administrative record for the Project.

I. Response to Maddren Letter

A. All Required Parking Will Be Provided Off-Site

The Maddren Letter states that the Applicant illegally moved parking off site for the Project. This is not accurate. The Building Permit Approvals converted parking areas on the first and second floors to retail, hotel fitness center, hotel storage, hotel utility rooms, hotel machine rooms, hotel employee cafeteria, hotel treatment room, hotel trash and recycle, and hotel-office space. These requests were reviewed and approved by LADBS plan check engineers ministerially, as well as by staff from the Department of City Planning, and other City departments as part of the normal plan check clearance process to ensure compliance with relevant sections of the Los Angeles Municipal Code ("LAMC") and discretionary approvals.

The 2014 Zone Variance Approval includes a condition that the Project provide a total of 71 parking spaces on-site, and 14 spaces off-site by lease agreement. This condition is overly specific and restricts the property owner's ability to provide parking off-site, as permitted by the LAMC. The City no longer includes these prescriptive parking conditions in Letters of Determination. Rather, the City includes a blanket condition requiring parking to be provided consistent with the LAMC. Here, the Applicant, as part of this Plan Approval, is requesting to modify this condition to allow parking off-site by lease or covenant to reflect previously approved and constructed changes to parking inventory. The parking spaces will be located at 1541 Wilcox Avenue, 6516 Selma Avenue, 1528 Ivar Street, or other qualified parking facility as determined by LADBS. To satisfy the Project's immediate parking requirements, the Applicant is requesting a lease in lieu of a covenant to allow all 78 off-site parking spaces at 1528 Ivar Street while construction is being completed at 1541 Wilcox Avenue and 6516 Selma Avenue. Upon issuance of the Certificates of Occupancy for these facilities, the Applicant with the requested approvals would have the option to move 64 of these spaces to the two specified parking facilities or other qualified parking facility as determined by LADBS. Pursuant to the requested approvals, all parking would be provided off site either through covenant or lease.

B. The Proposed Class 1 Categorical Exemption Is Permitted Under CEQA

The Maddren Letter alleges that the Project may not utilize a Class 1 Categorical Exemption under CEQA because the Project involves modifications resulting in an increase of 14,427 square feet in total floor area. The Class 1 Categorical Exemption provides a non-exhaustive list of examples of existing facilities, however, the key consideration is determining whether the project involves negligible or no expansion of use. As stated above, the Dream Hotel has been operating since 2017 and the approval of the Project does not include new construction or physical alterations of any portions of the existing building. The Project involves no expansion of use. Furthermore, the requested action fits squarely within the City's additional examples of projects recognized as

exempt under the Class 1 Categorical Exemption.[1] Specifically, Class 1 Category 22 permits exemptions for projects seeking a grant of a "[v]ariance or conditional use for a non-significant change of use in an existing facility." The exemption does not provide a square footage limitation. This Project seeks a Plan Approval (modification to a variance) that involves no physical change to the environment or increase in square footage of the existing facility. As such, the Project presents a negligible, non-significant change of use of an existing facility, and the Project properly qualifies for the Class 1 Categorical Exemption and the City's Class 1 Category 22 Categorical Exemption.

C. The Project Was Not Improperly Piecemealed

The Maddren Letter raises two arguments related to improper piecemealing under CEQA.[2] First, Mr. Maddren alleges that because the requested modifications are already built the Dream Hotel was improperly piecemealed. This argument has no merit. The 2008 Zone Change Approval and 2014 Zone Variance Approval reflected the projected needs at those given moments in time. The changes made to the Project were not known at the time of initial approvals, and were not a foreseeable consequence of the initial 2008 approval, because they occurred during final design and construction. These types of after-approval modifications to development projects are commonplace. CEQA does not limit applicants from modifying projects after approval and during construction. Furthermore, as determined in the Categorical Exemption, the modifications are so minor they do not change the nature of the environmental impacts of the previously approved Project.

Second, Mr. Maddren argues that the Dream Hotel, the Selma Wilcox Hotel, and the Tao Restaurant are all part of a larger hotel/entertainment complex which also includes the Thompson Hotel, the Tommie Hotel, and the Citizen News Project. Mr. Maddren further alleges that providing off-site parking for the Dream Hotel at the Thompson Hotel constitutes proof that these individual hotel projects are not independent and are in fact interconnected. There is no merit to this argument. As discussed in detail in the Parker Letter, the Project is not a reasonably foreseeable consequence of the other named projects or any other projects in the vicinity. As a general rule, relationships between property owners or applicants of different properties do not change the threshold of review required pursuant to CEQA. The projects identified by Mr. Maddren involve separate properties that are being developed by separate legal entities and separate entitlement applications. Each of the named projects were reviewed by the appropriate City departments and approval bodies and received separate approvals. Similarly, each of the projects are bound by separate conditions of approval that are applicable on a project-specific basis, and each project underwent separate environmental review under CEQA. Therefore, the Project in question was not improperly piecemealed with respect to the named projects in the vicinity of the Project Site.

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[1] See City of Los Angeles Environmental Quality Act Guidelines, Art. III, Section 1(a)(22).

[2] A project description must include all relevant parts of a project, including future expansion or later phases of the project that will foreseeably result from project approval. *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376. The Supreme Court established the two-pronged test, an environmental document must include an analysis of the environmental effects of future expansion of other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.

II. Response to Carrera Letter #1

A. The Applicant is Permitted to Modify a Project After Approval.

Mr. Carrera alleges that the Applicant was improperly allowed to convert on-site parking to floor area with the issuance of Building Permit No. 13010-10007-03647 in 2017. As discussed in Section I.A above, the Building Permit Approvals were reviewed by LADBS plan check engineers, as well as staff from the Department of City Planning, and other City departments as part of the normal plan check clearance process to ensure compliance with relevant sections of the LAMC and discretionary approvals. Building Permit No. 13010-10007-03647 was signed off by LADBS and issued in February 2017. Modifications to development projects are common as projects move from the planning design phase to construction drawings and ultimately to the built product. It is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. Furthermore, all required parking will be provided off-site at nearby properties by covenant and/or lease agreement, which is permitted under relevant sections of the LAMC. The LAMC permits the modifications requested by the Applicant through a Plan Approval entitlement. CEQA also does not restrict applicants from modifying projects after approval and during construction.

B. The Dream Hotel Operations are Consistent with Existing Conditions of Approval

Mr. Carrera alleges that the Dream Hotel is illegally operating a nightclub and allowing excessive noise on its rooftop. This is not accurate. As discussed in detail in Section III, the current operations of the Dream Hotel comply with the conditions of approval contained in the 2008 Zone Change Approval. The Applicant works closely with LAPD to ensure that there are no issues related to noise or alcohol consumption. The Dream Hotel has not been cited for noise, alcohol consumption, or public dancing and has been operating since 2017. This comment is unsubstantiated opinion and speculation. *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.*, 47 Cal.3d 376, 393 (1988) (substantial evidence does not include argument, speculation, unsubstantiated opinion or narrative, evidence that is inaccurate or erroneous, not credible, or evidence of economic or social impacts that do not constitute to or are not caused by physical environmental impacts).

C. The Project Does Not Cause Significant Traffic Impacts

Mr. Carrera alleges that the Project's existing off-site parking and valet service causes significant impacts related to traffic congestion. This argument fails for a number of reasons. First, traffic delay and congestion are no longer considered CEQA impacts under Senate Bill 743 ("SB 743"). In July 2019, the City Council adopted the LADOT Transportation Assessment Guidelines ("TAG"), which established new criteria for analyzing traffic impacts based on vehicle miles traveled ("VMT") in lieu of the level of service methodology, as required by SB 743. Overland Traffic Consultants prepared a Technical Traffic Letter assessing impacts related to VMT and found that the Project impacts would be less than significant.

Second, the parking impacts related to the Project are exempt from CEQA under SB 743. Parking impacts are not considered significant impacts on the environment for employment center projects[3] on infill sites within a transit priority area. The Project is an employment center project located on a previously developed infill site within a Transit Priority Area as defined by the SB 743. The Project Site is in an urban area less than 0.25 mile from the Hollywood/Vine Metro Station. The anticipated off-site parking locations are also located on infill sites within 0.5 mile from the Hollywood/Vine Metro Station, 6516 Selma Avenue (0.37 mile), 1541 Wilcox Avenue (0.32 mile), and 1528 Ivar Avenue (0.2 mile). As such, impacts from the Project related to parking are not considered significant impacts on the environment. In *Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, the Court of Appeal held that Section 21099 of the Public Resources Code precluded petitioners from arguing that the project lacked adequate parking, because the project was a qualifying infill project located within half-mile of a major transit stop exempting parking impacts from CEQA review. The Court of Appeal further determined that the petitioners did not provide substantial evidence showing any secondary impacts from parking and that they were precluded from claiming that the project lacked adequate parking. Here, the parking exemption applies and the commenter has not provided any evidence showing secondary impacts from the alleged inadequate parking.

Third, Overland Traffic Consultants prepared an Off-Site Valet Operation Evaluation for informational purposes to evaluate potential impacts from the valet trips to the anticipated off-site parking locations, 6516 Selma Avenue, 1541 Wilcox Avenue, and 1528 Ivar Avenue. See **Attachment B**. The analysis examined impacts under the LOS and VMT methodologies, and concluded that the Project would not result in significant traffic impacts from off-site parking area valet trips.

D. The Applicant Can Make the Requisite Zone Variance Findings

Mr. Carrera makes several objections to the City's findings regarding the Zone Variance approval. The objections are unfounded and unsubstantiated. Nevertheless, the Applicant has updated the Project Description and Findings for the Plan Approval ("Updated Findings") to address these concerns and better reflect the scope of the Plan Approval and justification for the Zone Variance. See **Attachment C**.

In short, the Updated Findings clarify that strict application of the regulations would require the demolition and reconstruction of uses on the first, second, and rooftop levels that have already been approved by the City through the Building Permit Approvals and fully operational since 2017. The demolition and re-construction, if even feasible, would cause substantial delay, be incredibly expensive, and severely impact the existing operations of the hotel that are already impacted by COVID-19, risking its closure. Additionally, the LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request. There is no other mechanism within the LAMC that permits modifications to a previously approved zone variance. Because a Plan Approval is the only mechanism in which changes may be made to a previously approved zone

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[3] *"Employment Center Project" is defined as a project located on a property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area (See Pub. Resources Code § 21099(a)(1)).*

variance, denial of this Plan Approval request would cause the Applicant severe hardship in that the Applicant would be prohibited from re-submitting the request for a period of one year per City policy. This would risk the expiration of the existing temporary Certificate of Occupancy ("CofO") as it would be impossible under the LAMC to capture the previously approved changes by any other means. Termination of the temporary CofO would result in the cessation of hotel operations, which represents a threat to the effective use and viability of the existing hotel. The City issued the temporary CofO for the hotel, and indicated that a final CofO would be provided pending final approval of this Plan Approval request by the Department of City Planning to capture the changes in the 2016 Street Vacation Approval and approved by LADBS in the Building Permit Approvals. The City also indicated that it would not provide extensions to the temporary CofO until this Plan Approval request is approved.

E. Mr. Carrera's Proposed Conditions of Approval Are Improper

Mr. Carrera proposes a series of new conditions of approval related to the approved CUB from the 2008 Zone Change Approval. However, the Applicant is not requesting modifications to the CUB or a new CUB, so the conditions are not appropriately before the Zoning Administrator in this case. Even if the CUB were before the Zoning Administrator, there is no nexus between the proposed conditions and a significant environmental effect. Mr. Carrera has provided no evidence showing that the proposed conditions are connected to reducing a significant noise or traffic impact. The Dream Hotel has been operating since 2017 consistent with the CUB conditions in the 2008 Zone Change Approval and has not received any citations from LAPD related to noise, alcohol consumption, or public dancing. Furthermore, incorporating the suggested conditions into existing hotel operations would not be feasible. The conditions would severely restrict existing operations of the Dream Hotel that are already heavily impacted by COVID-19 and would risk the viability of the existing hotel operations.

III. Response to Carrera Letter #2

Mr. Carrera argues that the modifications to the Dream Hotel as considered and approved in the 2014 Zone Variance Approval necessitate amendments to the existing CUB conditions contained in the 2008 Zone Change Approval. This argument fails for the following reasons. First, the time for Mr. Carrera to challenge the scope of the 2014 Zone Variance Approval under CEQA or the Planning and Zoning Code has long passed. Mr. Carrera cannot now argue that an approval for an operating hotel with conditions recorded against title in April 2014 must be modified.

Second, the Zoning Administrator in this case does not have authority to impose new or modified CUB conditions related to the 2008 Zone Change Approval as it is beyond the scope of the requested action. This argument was raised during the administrative process by Mr. Carrera in 2014 and rejected for similar reasons by Assistant Zoning Administrator Jim Tokunaga. Here, the scope of the Plan Approval request before the Zoning Administrator only relates to the 2014 Zone Variance Approval as it modified the six conditions listed below from the 2008 Zone Change Approval. The 2014 Zone Variance Approval did not request modifications to the CUB conditions, nor include any conditions modifying the CUB grant. Additionally, LAMC Section 12.27 permits the Zoning Administrator to impose conditions only in connection with the original variance

request. As such, new or modified CUB conditions would not be appropriate as part of a determination of the Plan Approval request.

1. Variance from Q Condition No. 1 of Ordinance No. 180,381 to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet;

2. Variance from Q Condition No. 3 of Ordinance No. 180,381 to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet;

3. Variance from Q Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR of 5.3:1;

4. Variance from Q Condition No. 7 of Ordinance No. 180,381 to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;

5. Variance from Section 12.26.E.5 to permit off-site parking by lease in lieu of a recorded covenant; and

6. Variance from applicable design guidelines for the design of a parking facility per LAMC Section 12.21.A.5 and LADBS Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

Third, even assuming the Zoning Administrator had authority to modify the CUB conditions, modifications are not required because the Project has been operating in compliance with the existing applicable CUB conditions and the 2014 Zone Variance Approval. The Building Permit Approvals also did not materially alter the grants and conditions outlined in the 2008 Zone Change Approval. The initial operator has remained the same. The table below provides a consistency analysis of the conditions in the 2008 Zone Change Approval.

Grants and Conditions	Consistency
Pursuant to Section 12.24.W.1 if the LAMC, the conditional use authorization granted herein is for the sale and dispensing for consumption of a full line of alcoholic beverages for on-site consumption in connection with the proposed hotel at the following locations:	
(a) 1st Floor Lobby Bar	**Consistent**. The condition specifies that the service of alcoholic beverages is permitted in the 1st floor lobby bar. The Project continues to maintain a 1st floor lobby bar. This condition does not specify the square footage of the 1st floor lobby bar. This grant has not been materially altered.
(b) on the 8th floor banquet facility with reception courtyard area, and	**Consistent.** The overall square footage of commercial floor area was significantly reduced from

rooftop uses including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area, and in the public alley	17,045 SF to 4,581 SF. Building Permit No. 13010-10006-03647 resulted in the addition of 648 net square feet of floor area to the bar and restaurant use. However, the total commercial floor areas remains significantly below the original approval and the grant permits alcohol use on the rooftop areas. Thus, the intensity of alcohol sales for the commercial use was reduced by 73 percent. Additional covered area was added to the proposed rooftop uses, including additional bar and restaurant space. This condition does not specify the square footage of the uses identified and the grant still permits alcoholic beverage service on the rooftop uses, including indoor and outdoor seating areas of the restaurant, bar, and pool lounge areas. These spaces are included in the Project.
(c) controlled-access liquor cabinets to be located within the hotel rooms	**Consistent.** The Project continues to provide in-room mini-bars. This grant does not specify the number of rooms that may have in-room mini-bars. Thus, the grant has not been materially altered. The 2014 Zone Variance Approval was reviewed and vetted by City Planning, including the request to increase the number of guest rooms from 120 to 182.
(d) the on-site sale of a full line of alcoholic beverages by way of room service.	**Consistent.** The Project continues to provide room service for hotel guests with the option of purchasing alcoholic beverages for on-site consumption. This grant does not specify the number of rooms which may be served alcoholic beverages. Thus, the grant has not been materially altered.
Pursuant to Section 12.24 W.18 (a) of the LAMC, a Conditional Use authorization for live entertainment and patron dancing. The following conditions shall also apply:	
Conditions "a" – "u"	**Consistent.** Conditions "a" – "u" are intended to regulate operational elements of the permitted uses, as they relate to the sale of alcoholic beverages for on-site consumption, live entertainment, and patron dancing. The conditions are not intended to limit to the physical development of the permitted uses. The Applicant continues to comply with all applicable conditions and voluntary conditions and has recorded the Master Covenant and Agreement on the property's title. The Dream Hotel has had the same operator for the restaurant and bar uses since it opened in 2017, and has not triggered the requirements in condition a

	requiring a Plan Approval with respect to the future operator's use, if that use materially alters in any manner the conditions of approval. The modification of floor areas and guest rooms does not materially alter conditions "a" – "u".
The Applicant proposes the following voluntary conditions of approval for the requested conditional use permit:	
Voluntary Conditions 1 – 35	**Consistent.** Voluntary conditions 1 – 35 are intended to regulate operational elements of the permitted uses, as they relate to the sale of alcoholic beverages for on-site consumption, live entertainment, and patron dancing. Thus, they are not intended to limit the physical development of the permitted uses. The Applicant continues to comply with all applicable conditions and voluntary conditions and has recorded the Master Covenant and Agreement on the property's title. Thus, the modifications of floor areas and guest rooms does not materially alter voluntary conditions 1 – 35.

Very truly yours,

Alfred Fraijo Jr.
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4852-0884-7816.9
Attachments

ATTACHMENT A

September 9, 2020
[vial email: oliver.netburn@lacity.org]

Mr. Oliver Netburn
City of Los Angeles
Department of City Planning
200 North Spring Street, Room 763
Los Angeles, CA 90012

Re: RESPONSES TO COMMENT LETTERS RECEIVED ON THE DREAM HOLLYWOOD HOTEL [ENV-2018-7559-CE; ZA-2013-3504-ZV PA1; CPC-2007-3931-ZC-HD-CUB-CU-ZV-SPR]

Dear Mr. Netburn,

On behalf of the Project Applicant (6417 Selma Holdings, LLC), Parker Environmental Consultants, prepared the CEQA Class 1 Categorical Exemption for the Plan Approval requested to modify the total floor area to permit 93,803 square feet in lieu of 79,376 square feet, modify the total lot size to 16,173 square feet in lieu of 13,923 square feet to reflect the subsequent alley vacation, and provide parking off-site by lease agreement or covenant for all required parking for the Dream Hollywood Project ("Project"). This response letter addresses the CEQA related comments included in the comment letters submitted by Casey Maddren, dated May 4, 2020, and David Carrera, dated May 28, 2020, and May 31, 2020.

As explained in the attached responses, the Class 1 Categorical Exemption satisfies the environmental review requirements pursuant to the CEQA (P.R.C. 21000 *et seq.*), the State CEQA Guidelines (C.C.R. Title 14, Chapter 3, 15000 *et seq.*), and the City of Los Angeles' policies for implementing CEQA Exemptions. Based on the information contained in the comment letters received, the responses to the comment letter (attached hereto), and the Categorical Exemption prepared, the Project and entitlements requested qualify under the Class 1 Categorical Exemption (Existing Facilities) because the Project involves a negligible or no expansion of an existing or former use. The Project would continue to adhere to the conditions of the previous approvals related to height, FAR, and off-site parking. Further, none of the exceptions to categorical exemptions, pursuant to C.C.R. Section 15300.2, apply to the Project. Accordingly, these responses may be incorporated into the record, and no additional environmental analysis is required.

23822 Valencia Boulevard, Suite 301
Valencia, CA 91355
(661) 257-2282 (tel)
www.parkerenvironmental.com

Should you have any questions regarding any of the responses please contact me at (661) 257-2282 or by email at shane@parkerenvironmental.com.

Sincerely,

Shane E. Parker, Principal

Attachments:
A. Responses to Comment Letters
B. Copies of the Comment Letters and Attachments

ATTACHMENT A – RESPONSES TO COMMENT LETTERS

COMMENT LETTERS

1. **Casey Maddren**
   2141 Cahuenga Blvd, Apt. 17
   Los Angeles, CA 90068
   May 4, 2020

2A. **David Carrera**
   6530 Leland Way
   Los Angeles, CA 90028
   May 28, 2020

2B. **David Carrera**
   6530 Leland Way
   Los Angeles, CA 90028
   May 28, 2020

COMMENT LETTER NO. 1

Casey Maddren
2141 Cahuenga Blvd, Apt. 17
Los Angeles, CA 90068
May 4, 2020

COMMENT 1.1

Objections to Requested Actions for 6415 - 6417 W. Selma Ave., Case No.: ZA-2013-3504-ZV-PA1, CEQA No.: ENV-2018-7559-CE

The hearing notice states that the proposed project is to allow modifications to Case No. ZA-2013-3504-ZV to reflect a 14,427 sq. ft. increase in the total floor area and the removal of all on-site automobile parking, in conjunction with the expansion and continued operation of an existing hotel.

1. You Can't Remove Parking That Doesn't Exist

Let's be clear. There is no on-site parking at the Dream Hotel, located at 6417 W. Selma in Hollywood. The requested action is merely a way to legalize the Developer's previous

illegal action. The approved plan for the original project required 77 parking spaces. The Developer chose not to build those spaces, and in doing so added significant square footage to the project, well beyond what was specified in approved plan. To repeat, the Dream Hotel has no on-site parking. The Department of City Planning (DCP) and the Department of Building & Safety (DBS) are well aware of this. Rather than sanctioning the developer for failing to build the approved project, the DCP is attempting to remedy the situation by granting an after-the-fact approval.

RESPONSE TO COMMENT 1.1

All required parking for the existing uses and the proposed conditions would be satisfied through parking provided off-site. The Project does not provide parking on-site, but off-site at nearby properties by covenant and/or lease agreement. The Los Angeles Municipal Code (LAMC) Section 12.21.A.4(g) permits on-site parking requirements to be satisfied off-site not more than 750-feet from the subject site with administrative approval of a parking covenant pursuant to LAMC Section 12.26.E.5. With the proposed increase in floor area and parking reductions, the Project would be required to provide 79 parking spaces. The Project is seeking to provide the required parking spaces off-site through covenant or lease agreement. Thus, the number of parking requirements would be satisfied through provided parking off-site, pursuant to the LAMC.

In *Covina Residents for Responsible Development v. City of Covina*, Case No. B279590, the Court of Appeal held that Section 21099 of the Public Resources Code precluded petitioners from arguing that the project lacked adequate parking, because the project was a qualifying infill project located within half-mile of a major transit stop exempting parking impacts from CEQA review. The Court of Appeal further determined that the petitioners did not provide substantial evidence showing any secondary impacts from parking and that they were precluded from claiming that the project lacked adequate parking. Here, the parking exemption applies. The Project Site is an employment center project[1] located on a previously developed infill site within a Transit Priority Area as defined by the Senate Bill 743. The Project Site is in an urban area less than 0.25 mile from the Hollywood/Vine Metro Station. The off-site parking locations considered are also located on infill sites within 0.5 mile from the Hollywood/Vine Metro Station. As such, impacts from the Project related to parking are not considered significant impacts on the environment under Section 21099 of the Public Resources Code. The commenter has also not provided any evidence showing secondary impacts from the alleged inadequate parking.

[1] *"Employment Center Project" is defined as a project located on a property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area (See Pub. Resources Code § 21099(a)(1)).*

Additionally, an Off-Site Valet Operation Evaluation was prepared by Overland Traffic Consultants, Inc., dated September 2020, for informational purposes to evaluate potential impacts from the valet trips to off-site parking locations. The analysis examined impacts under both the Level of Service (LOS) and Vehicle Miles Traveled (VMT) methodologies. Based on findings within the Off-Site Valet Operation Evaluation, the Project would not result in significant LOS traffic impacts from the addition of the off-site parking area valet trips. Additionally, with respect to VMT, the off-site valet vehicle services trips are short in nature and do not add to the Project's VMT impact. No VMT impact would be created by the addition of the short valet trips. Thus, the analysis found that impacts would be less than significant.

COMMENT 1.2

2. CEQA Does Not Allow the Proposed Exemption

The hearing notice says that the Zoning Administrator will consider granting an Exemption from CEQA pursuant to CEQA Guidelines Section 15301, Class 1. This section reads as follows:

> *15301. EXISTING FACILITIES*
>
> *Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:*
>
> *(e) Additions to existing structures provided that the addition will not result in an increase of more than:*
>
> *(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or*
>
> *(2) 10,000 square feet if:*
>
> *(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
>
> *(B) The area in which the project is located is not environmentally sensitive.*

The hearing notice states that the project involves modifications resulting in an increase of 14,427 square feet. It is clear that the requested increase in square footage goes far beyond what is allowed under a Class 1 Exemption. Therefore, and Exemption from CEQA cannot be granted.

RESPONSE TO COMMENT 1.2

The approval of the Project does not include any new construction and thus would not physically alter any portions of the existing building. The Project would not physically construct or add additional gross building area to the existing building beyond what has already been approved by LADBS and constructed in 2016 and 2017. Rather, granting the requested Plan Approval will update the conditions of approval in Case No. ZA-2013-3504-ZV to reflect the current conditions, and to clarify that code-required parking may be satisfied off site, as permitted by the LAMC. Two supplemental permits, Permit Nos. 13010-10006-03647 and 13010-10007-03647, were issued by LADBS in December 2016 and February 2017 respectively. As a result of these permitted improvements in 2016 and 2017, the total code-defined floor area of the Dream Hollywood Hotel was increased. The requested entitlements would correct the increased floor area from these permitted improvements in 2016 and 2017. Therefore, the Project would be consistent with the Class 1 Criteria by not physically constructing additional floor area and involving negligible or no expansion of use beyond the existing conditions.

COMMENT 1.3

3. Approval of Removal of On-Site Parking and Increased Floor Area Continues Piecemealing

The requested plan approval to modify Case No. ZA-2013-3504-ZV constitutes piecemealing. The requested modification is not just a reasonably foreseeable consequence of the existing project, it has already taken place, without any corresponding environmental analysis. In addition, the Dream Hotel Phase 1 (6417 Selma) is part of a larger piecemealed project, which includes the Dream Hotel Phase 2 (6421 Selma) and the Tao Restaurant (6421 Selma), which is also part of a larger piecemealed hotel/entertainment complex, including the Thompson (1541 Wilcox) the tommie (6516 Selma), and the Citizen News adaptive re-use project. Richard Heyman and Grant King are Real Parties in Interest in all of the projects listed above, either in their roles as Managing Partners of Hollywood International Regional Center (HIRC), or in their roles as Managing Partners of Relevant (or its predecessor, Five Chairs) or as

officers listed on filings for the numerous corporations created for the purpose of pursuing these various projects.

In spite of claims made by Richard Heyman and Grant King, their representatives, and the City of Los Angeles that these projects are separate and independent of each other, the following evidence proves the contrary:

a. Three Separate Applications for a Single Project

In 2014 a fundraising brochure was published by Space Global which clearly identifies the Dream Phase 1 (6417 Selma) and the Dream Phase 2 (6421 Selma) as two phases of the same project. The brochure refers to the Dream Phase 2 as "a $43 million extension" of the Dream Phase 1. The same brochure also identifies the Tao Restaurant as a component of the overall project. Heyman and King, using various corporate entities, filed separate applications with the City of LA for the Dream Phase 1, the Tao Restaurant, and the Dream Phase 2, even though the fundraising brochure clearly shows that all three of these components were considered part of a single project at least as far back as 2014.

The City of LA produced a Mitigated Negative Declaration as the environmental assessment for the Dream Phase 1. After the project was approved, Heyman and King then submitted an application for the Tao Restaurant and Retail Project using a corporate entity named "6421 Selma Wilcox Hotel LLC". The City produced a separate MND for the Tao Restaurant and Retail Project and the project was subsequently approved.

Following the approval of the Tao Restaurant and Retail Project, Heyman and King submitted yet another application, again under the auspices of 6421 Selma Wilcox Hotel LLC, this time for a hotel project which would rise adjacent to and on top of the Tao Restaurant. The City then produced a third MND for 6421 Selma Hotel/Dream Phase 2, making the unusual claim that they satisfied the requirements of CEQA by producing an environmental assessment using two different baselines, one baseline assessing impacts from a date prior to the construction of Tao, and another baseline assessing impacts on top of those associated with Tao.

DCP staff was alerted to the fact that the multiple applications were all connected to a single hotel complex. CRA employee Craig Bullock sent an e-mail to Lisa Webber at the DCP to say that Heyman and King appeared to be engaged in peicemealing [sic]. Hollywood resident David Carrera also sent a copy of a

fundraising brochure which clearly states that Dream Phase 1, the Tao Restaurant and the Dream Phase 2 are part of a single project. I also sent a fundraising brochure to the DCP via e-mail which stated the same. In spite of multiple communications from a City employee and Hollywood residents, DCP staff, the City Planning Commission, and members of the City Council ignored clear evidence of piecemealing.

RESPONSE TO COMMENT 1.3

The commenter's claim that the Applicant has engaged in improper piecemealing and that the Project is part of a larger hotel/entertainment campus comprised of hotels and restaurants within close vicinity is incorrect.

In accordance with the established piecemealing law under CEQA and the facts presented below, the Project is not a reasonably foreseeable consequence of the other named projects or any other projects in the vicinity. The nature of the Applicant's business model requires individual decisions based on project-specific circumstances and context; it is not amenable to the type of grand design opponents imagine. In particular, with respect to the projects named (Tao Restaurant, The Thompson, Tommie Hotel, and Citizen News Project), the ownership is different, vendor management is different, development timelines were distinct, and investor blocks were unique. The development projects identified by the commenter involve separate properties that are being developed by separate legal entities and separate entitlements. The ownership entities, Project Applicants, and operations for each of these developments are independent from one another and are not part of a larger project. The Project therefore was not improperly piecemealed.

Each project is entirely independent from the Dream Hotel Project in its location, project description, the circumstances giving rise to its development, its investors, its management, and, at least initially, in its timing. Each project is subject to separate entitlement approvals and are bound by conditions of approval that are applicable to each application on a project-by-project basis. Each project has been subject to CEQA review or an appropriate CEQA exemption. Relationships between property owners or applicants of different properties does not change the threshold of review required pursuant to CEQA. Each project underwent environmental review under CEQA, as documented in the mitigated negative declarations prepared for the projects. Neither the City nor the Applicant was committed to undertaking the Project when these other projects were under review, and no environmental impacts were overlooked as a result of sequential development and review. Alleged issues relating to piecemealing and

misleading actions that relate to these projects do not impact the approval of the current Project.

Further, none of these projects presuppose the occurrence of the Project, nor do the projects legally compel or practically presume completion of the Project. Each of the projects mentioned have independent utility and operate on their own and do not rely on the presence of the others. Indeed, with respect to the hotel projects, while guests of one hotel might patronize the restaurants of another, the hotels will primarily compete with, not complement, one another and even if the amenities of one hotel are an ancillary benefit to others, they are not critical components of other hotels' operating plans. Two projects may properly undergo separate environmental review (i.e., there is no piecemealing) when the projects have different proponents, serve different purposes, *or* can be implemented independently.

COMMENT 1.4

b. Tao Restaurant Is Not an Independent Entity

Richard Heyman and Grant King, their representatives, and the City of Los Angeles have claimed repeatedly that Tao Restaurant is independent of the Dream Hotel Phase 1 and that the Hotel does not have a connection with Tao. There is ample evidence to demonstrate otherwise.

i. The case file for 6421 Selma Wilcox Hotel contains a letter from Daniel Pope, a former employee of Tao, which states that that Tao provides food to guests and employees at the Dream Hotel, 6417 Selma.

ii. A screenshot taken on November 18, 2019 from the Tao Hospitality Group web page makes the following statement:

"Tao Group Hospitality operates all of the food and beverage outlets for Dream Hollywood [....]"

iii. An October 21, 2016 article in real estate publication The Real Deal contains an interview with Dream Hotel Chief Development Officer David Kuperberg regarding the Dream chain's new hotel in Hollywood, i.e. Dream Phase 1, at 6417 Selma. Here is an excerpt from the interview:

Who are you are partnering [sic] with on the food and beverage side of things?

We are bringing Tao Group from New York and Vegas, and that is the anchor of our food and beverage program. Three of our five food and beverage properties

are on the roof. That's three different rooftop venues. One is all day dining, the other is more of a lounge area, and the third is a nightlife type of venue. All are with incredible views. There is a pool up there too. The rooftop in Hollywood is three times the size of the one Downtown in New York.

iv. Documents from DBS show a physical connection between Tao and the Dream Phase 1 in the form of a doorway. DBS documents further show that electrical connections from the Dream Phase 1 have been used to provide power for Tao.

RESPONSE TO COMMENT 1.4

Contrary to the commenter's assertion, the Dream Hollywood Project is not related to the Tao Restaurant.

The Dream Hotel Project was originally approved and entitled for development, just before the Great Recession in 2008 (see Case No. CPC-2007-3931-ZC-HD- CUB-ZV-SPR). The Applicant lost the property through foreclosure in 2010, but was able to reacquire it in 2013. In 2014, The Applicant revised the hotel construction plans for the property to provide for the development of a ten-story, 182-room hotel (Case No. ZA-2013-3504(ZV)). Construction began in 2014 and was completed in 2017.

Several years after entitling the Dream Hollywood Hotel Project in 2008, an opportunity arose to lease the neighboring property, which was developed with an auto body shop, non-descript restaurant, apartment complex and a piano bar to develop either a restaurant or another hotel – or both, in an area where development of tourist amenities are increasing. The construction of the Tao Restaurant Project was the best use of the adjacent site and the funding at the time. The Dream Hotel was a year and half into construction before construction on the Tao Restaurant began.

Although the Tao Restaurant was proposed after permitting the Dream Hotel, construction was completed, and the restaurant opened before the Dream Hotel opened due to permitting and ability to reuse existing materials and infrastructure. This overlap of construction timelines does not infer that the projects were reasonably foreseeable consequences of one another, when they were being permitted. Given that construction on the hotel was already well underway before the restaurant was entitled, one cannot credibly argue that the hotel would not have been built without the restaurant or vice versa.

The activities and operations at the Tao Restaurant are not in any way associated with the Project. As mentioned above in Response to Comment 1.3, the development

projects identified by the commenter involve separate properties that are being developed by separate legal entities and separate entitlements. The ownership entities, Project Applicants, and operations for each of these developments are independent from one another and are not part of a larger project. Each project is subject to separate entitlement approvals and are bound by conditions of approval that are applicable to each application on a project-by-project basis. Each project has been subject to CEQA review or appropriate CEQA exemption class. Relationships between property owners or applicants of different properties does not change the threshold of review required pursuant to CEQA. This comment is noted for the record and will be forwarded to the decision makers for their consideration.

COMMENT 1.5

c. Required Parking Has Repeatedly Been Moved from One Location to Another

i. The 2014 determination letter for the Dream Phase 1 (6417 Selma) states that the project is required to have 77 parking spaces. A visit to the hotel makes clear that the finished structure contains no parking.

ii. Another excerpt from the October 21, 2016 interview with Dream CDO David Kuperberg published in The Real Deal contains the following quote:

What exactly is the parking strategy?

All of our parking will be off-site except for what's under Tao. It's something that was a concern from day one. Originally the city was [requesting we use] the second floor for parking, but we were able to move the parking offsite. The rationale was to move the cars quickly from the activity rather than have that build up.

This statement makes it clear that Heyman and King, with Kuperberg's knowledge, had made the decision to move the parking off-site, in spite of the fact that the approved project required 77 parking spaces.

iii. The original plan for the Tao Restaurant Retail Project includes three subterranean levels which were initially referred to as storage in DBS documents, and then later changed to parking. In light of Kuperberg's statement in The Real Deal, it seems clear that the three subterranean levels were intended to provide the parking which the developers had chosen not to include in the Dream Phase 1 at 6417 Selma.

iv.. The Recommendation Report published on June 14, 2018 for the Selma Wilcox Hotel Project (Dream Phase 2, 6421 Selma Hotel), CPC-2016-2601-VZC-HD-CUB-SPR, also contains the Initial Study and MND for the project. The Project Description on the first page of the IS/MND (which follows the Recommendation Report) contains the following statement:

The required 86 parking spaces would be provided in the subterranean parking structure (50 spaces) and off-site (36 spaces) at 1541 Wilcox Avenue.

1541 Wilcox is the address of the Thompson Hotel, which was built under the auspices of 1541 Wilcox Hotel, LLC. The corporate filing for 1541 Wilcox Hotel, LLC lists Richard Heyman and Grant King as managers.

The approval of the request by Relevant and/or its representatives to allow off-site parking at another property being developed by Heyman and King shows that these individual hotel projects are not independent, but in fact are interconnected through the common involvement of Heyman and King, their company Relevant (or its predecessor, Five Chairs), and through the various corporations which include their names on corporate filings. The fact that some of the required parking for the Selma Wilcox Hotel Project (Dream Phase 2, 6421 Selma Hotel) was moved off-site with the City's approval to another project owned by Heyman and King, and/or their various corporate entities, indicates that the Dream Phase 1 and 2, and the Thompson Hotel were conceived as a pieces of a hotel/entertainment complex with multiple components.

RESPONSE TO COMMENT 1.5

Providing parking off-site at different locations does not infer that the off-site properties are connected. The Los Angeles Municipal Code (LAMC) Section 12.21.A.4(g) permits on-site parking requirements to be satisfied off-site not more than 750-feet from the subject site with administrative approval of a parking covenant pursuant to LAMC Section 12.26.E.5. The Project would be required to provide 79 parking spaces, all of which would be provided off-site through covenant or lease agreement. Thus, all required parking for the existing uses and the proposed conditions would be satisfied through parking provided off-site.

COMMENT 1.6

Knowing that Heyman and King and their various corporate entities were behind the Dream Phase 1, the Dream Phase 2, the Tao Restaurant and the Thompson Hotel, with ample evidence in the related case files to show that the structures were interconnected

and that each supported the operation of the other, the City repeatedly allowed Heyman and King to file separate applications for the various components of their project, and the City proceeded to approve the separate applications, when, in fact, it was clear that the developers envisioned a unified hotel/entertainment complex which would require an Environmental Impact Report under CEQA.

Attached Exhibits

Case Summaries
ZA-2013-3504-ZV-PA1 Saved to PDF April 5, 2020
ZA-2013-3504-ZV-PA1 Saved to PDF April 27, 2020

Environmental Documents & Determination Letters
Dream Phase 1 MND
Dream Phase 1 Determination Ltr
Tao Restaurant MND
6421 Selma Wilcox Hotel (Dream Phase 2) Recommendation Report & MND
6421 Selma Wilcox Hotel (Dream Phase 2) Determination Ltr
1541 Wilcox/Thompson Hotel Determination Ltr

Developer's Fundraising Brochures
Fundraising Brochure 1
Fundraising Brochure 2

CA State Corporate Filings
6417 Selma Hotel
6421 Selma Restaurant
6421 Selma Wilcox Hotel
1541 Wilcox Hotel LLC

Tao Restaurant
Tao Web Site
Daniel Pope Ltr

Noise
Excessive Noise Recorded by McDonough

Miscellaneous
E-Mail from Bullock to Webber Re Piecemealing

Dream 1 Conversion of Parking from DBS

RESPONSE TO COMMENT 1.6

Based on the responses contained herein, the commenter's claims regarding parking and piecemealing the Project as part of a larger hotel/entertainment campus is incorrect. Analysis of cumulative impacts for each project is required in each projects' respective CEQA documents prepared for each hotel and commercial project. References to such environmental documents include:

1. 2008 Dream Hotel: 6415-6419 W. Selma Avenue (Case No. ENV-2007-3932-MND)[2,3]
2. Thompson Hotel: 1541 Wilcox Avenue (Case No. ENV-2014-3707-MND)[4]
3. Selma Wilcox Hotel (Tao Restaurant): 6421-6429 W. Selma Avenue (Case No. ENV-2016-2602-MND)[5]
4. Tommie Hotel: 6516-6526 W. Selma Avenue (Case No. ENV-2016-4313-MND)[6]
5. Schrader Hotel: 1600 N. Schrader Boulevard (Case No. ENV-2016-3751-MND)[7]
6. Citizen News: 1545-1551 N. Wilcox Avenue (Case No. ENV-2017-756-MND)[8]

These environmental documents found that the projects, when viewed together with other projects, have a less than significant environmental impact. It is important to note that depending on the date of preparation for each environmental document, some of the projects in the local vicinity, with applications filed after the preparation of an environmental document, may not be accounted for when analyzing cumulative impacts. For example, the 2008 MND prepared for the Dream Hotel did not include the aforementioned projects in its cumulative analyses, since the projects' applications were filed after publication of this MND. However, the Citizen News Project MND, published in 2019, included the other projects in the local vicinity, since all the applications were filed, and the Citizen News Project MND concluded that cumulative impacts would be less than significant. Therefore, cumulative impacts from nearby projects were addressed and concluded to be a less than significant environmental impact.

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2 *https://www.dropbox.com/s/yfbybcvcdhhxjkp/Relevant%20-%20Dream%20-%20MND%20%28ENV-2007-3932%29.pdf?dl=0*

3 *https://www.dropbox.com/s/nohdnabw2cnsqnb/2008%20Initial%20Study.pdf?dl=0*

4 *https://planning.lacity.org/pdiscaseinfo/document/MTkyMTI40/03b6cd7a-61f3-4d27-8bc5-9bb6e20119bc/pdd*

5 *https://planning.lacity.org/odocument/32106d64-f758-4c91-963b-f6b4fbbe01c4/ENV-2016-2602.pdf*

6 *https://www.dropbox.com/s/palcc3m1vy4vnxa/Tommie%20Hotel%20Final%20MND%20%28ENV-2016-4313%29.pdf?dl=0*

7 *https://planning.lacity.org/odocument/97e1eaa3-5679-4220-806b-2f8de8142339/ENV-2016-3751.pdf*

8 *https://planning.lacity.org/odocument/04f32e2f-1eda-4e0c-a3e5-2e3a9860eb80/ENV-2017-756.pdf*

Additionally, with respect to the different phases of the Project itself, CEQA does not restrict Applicants from modifying projects after approval and during construction.

Further, with respect to parking, parking impacts, in and of themselves, are exempt from CEQA review. Nevertheless, the Project's required parking for the existing uses and the proposed conditions would be satisfied through provided parking off-site. The Project's issues regarding the increase in floor area and parking spaces were evaluated in the Class 1 Categorical Exemption. The Project and entitlements requested qualify under the Class 1 Categorical Exemption (Existing Facilities) since the revised floor area of the Project maintains the overall gross floor area of the building as the structure has not been expanded, and no new construction would occur. The Project would continue to adhere to the conditions related to height, FAR, and off-site parking. These comments will be forwarded to the decision makers for their consideration.

COMMENT LETTER NO. 2A

David Carrera
6530 Leland Way
Los Angeles, CA 90028
May 28, 2020

COMMENT 2A.1

I, and my neighborhood, have some serious concerns about case ZA-2013-3504-ZV-PA1. This project has a complicated case history and stretches back to at least 2008 when the original LOD (CPC 2007-3931 -ZC-HD-CUB-ZV-SPR) was issued. I will try to keep my comments as simple as possible but please realize that the applicant uses all the layers and convolution of the multiple entitlements to their advantage to "get away with things" and to game the system.

The Ordinance in question before you was a deviation from the zoning code. It was slightly modified by DIR-2010-2962-CLQ. The Ordinance then received significant changes via Case No. ZA-2013-3504-ZV. All three of these grants bestowed the property in question with benefits and privileges more generous than the zoning code. They were what the applicant had wanted and requested. The applicant did not adhere to what they asked for and received, and instead chose to cheat the system. There is no hardship that has been foisted upon them, only one that they have brought upon themselves. They were cheating and got caught.

First, a little background about the applicant/project/operation from a nearby resident's point of view: they suck. Yes, they're nice, they're polite, and they've invested money. They also lie, cheat, are devious, and do not care about the surrounding community. They've maintained an ongoing disruptive illegal business, a nightclub on the rooftop of this project, since three days after their opening. They are not allowed to have a nightclub on their rooftop, but they do, despite ongoing complaints from neighbors or LAPD enforcement. At one point, LADBS found their CUB for the rooftop invalid, but that only lasted a couple weeks (they are also well connected it seems).

RESPONSE TO COMMENT 2A.1

This comment discusses general opposition and asserts that the Applicant has deviated from approved conditions. The Dream Hotel, as stated, has gone through several modifications since its initial approval in 2008. These changes occurred largely to reflect changes in market conditions to keep the Project economically viable. Associate Zoning Administrator Jim Tokunaga recognized this reality in the Letter of Determination for the 2014 Zone Variance: "These market needs are especially relevant today as the city recovers from the economic recession and the current revitalization of Hollywood are creating different demands." Importantly, these project modifications were also permitted by the LAMC and CEQA. On April 4, 2014, the City approved Case No. ZA-2013-3504-ZV granting a variance application to modify the Q Conditions of Ordinance No. 180381 and Case No. CPC-2007-3931-ZC-HD-CU-ZV-SPR. Subsequent to the approval of the Project, the Applicant applied for two ministerial supplemental permits from LADBS, Permit Nos. 13010-10006-03647 and 13010-10007-03647, issued in December 2016 and February 2017 respectively, which included scopes of work to "revise roof top restaurant configuration; and additional covered floor area" (Permit No. 13010-10006-03647) and to "convert parking areas at levels 1st story and 2nd story levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces" (Permit No. 03010-10007-03647). CEQA does not restrict applicants from modifying projects after approval and during construction.

COMMENT 2A.2

You can see more of their shenanigans by looking at their hotel project right next door at 6421 Selma. Aside from their obvious piecemealing and subterfuge on the entitlement, please review the building permit history for 6421 Selma. They were claiming at first, and for a long time, that they intended to build three levels, approx. 60,000 sq. ft., of underground "storage". It seemed so ridiculous that not even Building & Safety bought their ruse. It has now been declared to be just what it looks like-

parking., [sic] but for some reason they resisted calling it that and they for the longest time denied to DCP that they were intending to build another hotel there.

RESPONSE TO COMMENT 2A.2

The commenter asserts that the Project was piecemealed with the Tao Restaurant at 6421 Selma Avenue, which is incorrect. Refer to Response to Comment 1.4, above.

COMMENT 2A.3

During the entitlement process, especially ZA-2013-3504-ZV, they swore and repeatedly promised that the rooftop would not be a nuisance. It clearly operates as a nightclub, and even though it's CUB (CPC-2007-3931-ZC-HD-CUB-ZV-SPR) is very liberal, the intent of its conditions are clearly for it not to be a disruption and not be operated as a nightclub, which it clearly and obviously is. Despite culling favor from LAPD, I know it's been cited twice for Public Dancing (it is my understanding that the pool gets covered to turn into a dance floor), and two separate times for requiring an admission/cover charge/table fee to get in. Both of which are not allowed by the conditions. The cover charge violation is modus operandi.

Please, do not take my word for this. Please google "Dream Hotel" and "The Highlight Room". Read the reviews on Yelp, look at pictures. I would say to go by the location yourself, but thankfully one of the upsides of the Covid pandemic is that they've been closed, and we've gotten some relief. Please keep in mind that bars and nightclubs, including this one, don't even start to get loud and packed until 11:30PM-12 midnight. But if you were to visit, even at 9 or 10:00, I'd bet you dollars to donuts that you would not be allowed in. They have recently scrubbed their website of all incriminating pictures and tailored it for any official investigation. I also want to add that when I am impacted by noise, I just do not guess who the violator is. When I have the energy and intend to complain, I get up and trace the noise. After lying in bed past midnight and hearing songs clear as day, I have traced the noise many, many times to the Highlight Room. I am 1,409-feet away, according to Zimas. Videos have been posted to Youtube documenting the noise from Dream Hotel from almost a half mile away! Please see: https://www.youtube.com/watch?v=upVgkM5RDjg&feature=youtu.be

https://www.youtube.com/watch?v=TLmLFZVjyOM&feature=youtu.be

RESPONSE TO COMMENT 2A.3

This comment discusses the operational noise from the nighttime activities of the Project. However, the claim that the Project has been cited several times for public

dancing and cover charges is incorrect. The Project has had no citations. The YouTube video links provided by the commenter were recorded in June 2018. In response to noise complaints, the Applicant has since worked closely with LAPD to address noise complaints, such as reducing music volume during operation. As a result, the Project has not received any noise complaints in the past year.

COMMENT 2A.4

That is the main nuisance of what we deal with from them, but I must also point out the traffic congestion that they generate, because it's directly relevant to the case before you.

Their operation causes significant traffic issues, severely restricting traffic flow on both Selma and Cahuenga. Most times of the day, it's simply challenging. At night, 10PM onwards, it can be a major impact on flow. Please contact LAPD Officers Brian White (38074@lapd.online) or Ben Thompson (39467@lapd.online) for more specifics or corroboration. If the 77 on-site parking spaces had been built as originally required, it would not be an issue. But a 182-room hotel and active nightclub with no parking and only street valet service creates quite a traffic nightmare, especially on a smaller street as Selma combined with the busy cross street of Cahuenga a mere 125-feet away. The 77 spaces and the off-street drop-off/pick-up zone would make a huge difference in this impact. 77 cars would have arrived at this destination and been taken care of on-site, off the street, a public conveyance for all, not private use for one business. As it sits now and if this request is granted, not only is that not happening but additional traffic is generated by the valet now taking the car around the block. Which is extremely inefficient and unfair to the general public, and very advantages and beneficial to the applicant. I would say the many suffer for the rewards of the few, but it's not even a few, it's just one.

RESPONSE TO COMMENT 2A.4

The commenter discusses perceived traffic and congestion impacts from the Project and raises concerns for the increased off-site parking proposed. The State of California Office of Planning and Research updated Appendix G of the State CEQA Thresholds, which establishes new criteria for analyzing traffic impacts based on vehicle miles traveled (VMT) in lieu of the level of service methodology in January 2019. The City Council adopted the LADOT Transportation Assessment Guidelines (TAG) which includes the updated CEQA methodology and significance thresholds as directed under SB 743 on July 30, 2019. Therefore, impacts from overcrowding on streets from traffic is considered a non-CEQA issue.

In *Covina Residents for Responsible Development v. City of Covina*, Case No. B279590, the Court of Appeal held that Section 21099 of the Public Resources Code precluded petitioners from arguing that the project lacked adequate parking, because the project was a qualifying infill project located within half-mile of a major transit stop exempting parking impacts from CEQA review. The Court of Appeal further determined that the petitioners did not provide substantial evidence showing any secondary impacts from parking and that they were precluded from claiming that the project lacked adequate parking. Here, the parking exemption applies. The Project Site is an employment center project[9] located on a previously developed infill site within a Transit Priority Area as defined by the Senate Bill 743. The Project Site is in an urban area less than 0.25 mile from the Hollywood/Vine Metro Station. The off-site parking locations considered are also located on infill sites within 0.5 mile from the Hollywood/Vine Metro Station. As such, impacts from the Project related to parking are not considered significant impacts on the environment under Section 21099 of the Public Resources Code. The commenter has also not provided any evidence showing secondary impacts from the alleged inadequate parking.

Additionally, an Off-Site Valet Operation Evaluation was prepared by Overland Traffic Consultants, Inc., dated September 2020, for informational purposes to evaluate potential impacts from the valet trips to off-site parking locations. The analysis examined impacts under both the Level of Service (LOS) and Vehicle Miles Traveled (VMT) methodologies. Based on findings within the Off-Site Valet Operation Evaluation, the Project would not result in significant LOS traffic impacts from the addition of the off-site parking area valet trips. Additionally, with respect to VMT, the off-site valet vehicle services trips are short in nature and do not add to the Project's VMT impact. No VMT impact would be created by the addition of the short valet trips. Thus, the analysis found that impacts would be less than significant.

COMMENT 2A.5

Case No. ZA-2013-3504-ZV, which approved and required, in part, the following:

1. Approval of a Variance from "Q" Condition No. 1 of Ordinance No. 180,381 to allow 79,376 square feet in lieu of 73,814 square feet and 4,581 square feet of commercial space in lieu of 17,045 square feet;
2. Approval of a Variance from "Q" Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR 5.3:1;

[9] *"Employment Center Project" is defined as a project located on a property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area (See Pub. Resources Code § 21099(a)(1)).*

3. Conformance with Exhibit "A" (Condition No. 2), and
4. Provision of 77 on-site parking spaces (Condition No. 7).

It is now clear that Building Permit No. 13010-10007-03647, and the "conversion" of parking areas at the 1st and 2nd floor levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces, violates the approvals and conditions under ZA-2013-3504-ZV in the following ways:

1. The floor area was increased to 93,783 square feet, 14,407 square feet above that which was approved.
2. The conversion of parking area to retail increases the commercial space beyond that which was approved.
3. While the adjacent alley was vacated, the FAR, inclusive of the vacated alley, is 5.81:1.
4. Exhibit "A" shows parking at the 1st and 2nd Floors, not retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces.
5. The parking on provided on the 1st and 2nd Floors included the 77 on-site parking spaces.

First and foremost is the fact that this was not a "conversion" of parking to floor area. They never built the parking to convert. They had no intention of building the parking. I do not know what tricks they used to obtain the building permit but they should not be rewarded. They, and they alone, CHOSE to not build the parking and illegally add floor area. Why should the community continue to suffer for their gain?

RESPONSE TO COMMENT 2A.5

With respect to the building permits approved by LADBS (Permit Nos. 13010-10006-03647 and 13010-10007-03647), the Applicant received ministerial approvals from LADBS to convert floor area space to current conditions. Modifications to projects are inherently common as projects move from the planning design phase to construction drawings and ultimately to the built product. It is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. As such, CEQA does not restrict Applicants from modifying projects after approval and during construction.

Further, all required parking for the existing uses and the proposed conditions would be satisfied through parking provided off-site. The Project does not provide parking on-site, but off-site at nearby properties by covenant and/or lease agreement. The Los Angeles Municipal Code (LAMC) Section 12.21.A.4(g) permits on-site parking requirements to be satisfied off-site not more than 750-feet from the subject site with administrative approval of a parking covenant pursuant to LAMC Section 12.26.E.5. With the proposed increase in floor area and parking reductions, the Project would be required to provide 79 parking spaces. The Project is seeking to provide the required parking spaces off-site through covenant or lease agreement. Thus, the number of parking requirements would be satisfied through provided parking off-site, pursuant to the LAMC.

COMMENT 2A.6

Zone Variance Findings

All five findings for the Zone Variance CANNOT be made so the Variance must be DENIED. Specifically:

1. That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

They brought any difficulties and hardship upon themselves; it has not been foisted upon them by the zoning regulations. Zone variance Case No. ZA-2013-3504-ZV that granted deviations from the Q Conditions of Ordinance 180,381 already gave them generous relief from the zoning code and relieved them from their earlier grant which also relieved them of the zoning code and anything that could be considered burdensome. THEY DID NOT ABIDE BY IT. How much relief do they need? It was their choice to ignore ZA-2013-3504-ZV. It's plain that the City has already been generous in easing any burden or hardship and gave them what they had asked for. This game can't go on forever. One can claim to always be burdened by any zoning code; claiming so does not make it true. It was their choice to not build the parking and go over allowable floor area. Requiring that they meet already granted deviations of zoning ordinance is not a strict application of the ordinance, thus this finding cannot be made.

RESPONSE TO COMMENT 2A.6

The LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request. The LAMC permits the modifications requested by the Applicant through a Plan Approval entitlement. Modifications to projects are common as projects move from the planning design phase and construction drawings to the built product. It

is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. CEQA also does not restrict applicants from modifying projects after approval and during construction.

COMMENT 2A.7

2. That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.

There is nothing different about the subject property than any other nearby property, period. There's no special circumstance, size, shape or topography, etc from that of any other lot in area. There's not a cliff, lake, stream, sinkhole, train tracks, Indian Burial Grounds, alien landing site, waterfowl migration route, nuclear waste dump, historic feature, prehistoric feature, vortex, birthing cave, oil well- nothing, absolutely nothing is different about the lot than any other lot in the same zone and vicinity.

RESPONSE TO COMMENT 2A.7

At the time this Zoning Variance was approved, the Project was considered a special circumstance since it was the one of the first hotels to be proposed in the area. The Project opened its doors in 2017 and has been continuously operating since then. The Project would consist of the continued operation of a mixed-use hotel and commercial building, which are typical land uses characterized in the surrounding area. Additionally, modifications to projects are inherently common as projects move from the planning design phase to construction drawings and ultimately to the built product. It is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. Therefore, the Applicant seeks approvals for the modifications of the conditions of approval to reflect the revised floor area and parking requirements. As such, these entitlement requests are special circumstances applicable to the Project Site that do not apply generally to other properties in the local vicinity.

COMMENT 2A.8

3. That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

They've already been given relief from zoning that other nearby properties do not possess, and there are no special circumstances and practical difficulties, except those they themselves have created, so there is no substantial property right they are lacking that nearby properties enjoy. There are zero other new construction projects nearby that violated their DCP conditions and have built zero of their required on-site parking spaces. They are not overburdened, they burdened themselves. There's a difference. The first one happens by an outside force being applied to another, the second one happens when one does something TO oneself. They are the second example. The property in question is not being denied a right that other properties have and in fact, the contrary is true: the property in question has already been granted special and unique rights that other properties in the area DON'T have.

RESPONSE TO COMMENT 2A.8

As discussed above in Response to Comment 2A.6, the Applicant seeks approvals for the modifications of the conditions of approval to reflect the revised floor area and parking requirements. Modifications to projects are common as projects move from the planning design phase and construction drawings to the built product. It is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. The Project would consist of the continued operation of a mixed-use hotel and commercial building. As such, these entitlements requested are necessary to preserve the continued use of the Project.

COMMENT 2A.9

4. That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Granting the variance, and the applicant's refusal to adhere to DCP determinations, has been materially detrimental to public welfare and surrounding properties. Their valets take up all the street parking and create traffic jams and more traffic by increasing trips circling the block to other parking lots or street meters that they commandeer. Please inquire with LAPD VICE for confirmation of these problems. Or, go by yourself most evenings. This variance benefits them and only them and harms surrounding businesses and residents alike.

RESPONSE TO COMMENT 2A.9

As mentioned in Response to Comment 2A.4, above, the Project Site is an employment center project located on an infill site within a Transit Priority Area as defined by the Senate Bill 743. The off-site parking locations considered are also located within Transit Priority Areas. As such, impacts from the Project related to parking are not considered significant impacts on the environment. Nevertheless, an Off-Site Valet Operation Evaluation was prepared by Overland Traffic Consultants, Inc., dated September 2020, for informational purposes. The analysis evaluates potential impacts from off-site parking under both Level of Service (LOS) and Vehicle Miles Travelled (VMT) methodologies. Based on findings within the Off-Site Valet Operation Evaluation, the Project would not result in significant LOS traffic impacts from the addition of the off-site parking area valet trips. Additionally, with respect to VMT, the off-site valet vehicle services trips are short in nature and do not add to the Project's VMT impact. No VMT impact would be created by the addition of the short valet trips.

COMMENT 2A.10

5. That the granting of the variance will not adversely affect any element of the General Plan.

The applicant states under their findings that "The granting of this variance request will not adversely affect any element of the General Plan because the Project is existing and no physical changes are proposed." Yes, they built the project how they wanted and ignored DCP's LOD's. How does that justify or satisfy this finding? Not adhering to land grants undermines the General Plan.

RESPONSE TO COMMENT 2A.10

As mentioned previously in Response to Comment 2A.6, modifications to projects are common as projects move from the planning design phase and construction drawings to the built product. It is also fairly common practice for projects to seek modifications to approved entitlements and associated conditions of approval as a project is developed in order to accommodate construction design changes. The Project would consist of the continued operation of a mixed-use hotel and commercial building. As discussed within the Class 1 Categorical Exemption prepared for the Project, approval of the requested entitlements does not grant an increase in Project FAR, height, or a reduction in parking requirements, but reflects the changes in the existing building and uses that were previously permitted by the LADBS. The Plan Approval request, if approved, would update the conditions of approval in Case No. ZA-2013-3504-ZV to reflect the existing

conditions, and comply with the parking requirements in the LAMC. The revised floor area of the Project maintains the overall gross floor area of the building as the structure has not been expanded. The Project would continue to adhere to the conditions related to height, FAR, and off-site parking. Thus, the Project would not affect any element of the General Plan.

COMMENT 2A.11

Plan Approval Additional Findings

6. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.

Granting of this Plan Approval will result in more and unnecessary traffic congestion which in turn will be a drain on surrounding businesses and further limit the mobility of the surrounding area. Adding the required on-site parking that they knowingly and willingly chose to ignore will help ease congestion. What hotels in the last 10 years have been granted zero onsite parking requirements in the City of LA? None. This sets a bad precedent. And none of the recently approved hotels in the immediate area have been granted zero on-site parking. There's even a by-right hotel a half block away on Cahuenga that built on-site parking.

RESPONSE TO COMMENT 2A.11

This comment restates concerns regarding traffic and parking. Refer to Response to Comment 2A.4 regarding traffic impacts, and Response to Comment 2A.5 regarding parking impacts.

COMMENT 2A.12

7. The Proposed Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The Project's is not proposed, it is already built and has already degraded adjacent properties, the surrounding neighborhood, and public safety by failing to provide it's required 77 on site parking spaces.

Please note, Additional Condition 7 states "operations….will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety."

As I have previously pointed out, their operation is an ongoing nuisance in the community. The rooftop nightclub, supported directly by the increase in FAR and lack of onsite parking DOES degrade many peoples lives, quiet enjoyment of their property, and their health and well being. This has been well documented with LAPD and Youtube videos posted online.

RESPONSE TO COMMENT 2A.12

The Project vicinity is characterized by a range of hotel, restaurant, commercial, and multi-family residential land uses that are typical of the Hollywood area. The Project does not involve any construction and is already been built. As such, the Project was designed and constructed in a manner that is consistent with and compatible with the existing urban form and character of the surrounding environment. Further, with respect to noise, the Project has had no citations. In response to noise complaints, the Applicant has since worked closely with LAPD to address noise complaints, such as reducing music volume during operation. As a result, the Project has not received any noise complaints in the past year.

COMMENT 2A.13

In conclusion, even though the findings for the Zone Variance cannot be made, I would like to propose a compromise:

I will remove all opposition to the request IF:

The Q condition A.2 ii, hours of operation (page Q-1), is changed to:

- "the hotel's rooftop bar and lounge shall cease normal operation at or before 12:00AM midnight, every night of the week, without exception," except for normal clean-up etc. and this is for the WHOLE rooftop, inside and outside

- strike the language: "but can be utilized as a smoking area without music until 4:00 a.m."

AND:

- no special events on the rooftop (inside and outside)

- no amplified music on the rooftop (inside and outside)

- no background "ambient" music on the rooftop (inside and outside)

- The applicant shall not sublet the premises to outside "promoters" for nightclub activity. The premises shall not be used exclusively for private parties in which the general public is excluded. The owner/operator shall at all times retain operational control of the premises and utilize only the establishment's regular employees, own security staff and bar tenders for any private event. The establishment staff shall maintain an employee whose responsibility it will be to book events at the venue. Such bookings shall not be permitted to be handled by any outside promoters.

- Live Entertainment not allowed on the rooftop (inside and outside). Live entertainment may include live bands, acoustic performers or karaoke, provided the latter is not conducted in private rooms. Disc-jockey entertainment, whether amplified or ambient, is prohibited in all portions of the subject premises. No amplified music or amplified live entertainment is permitted in any patio or outdoor dining areas of the subject premises.

- Any amplified or ambient music, sound, noise or vibration emitted that is under the control or influence of the property owner/business operator, shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible or physically discernable beyond the subject premises. The property owner/business operator shall install a noise meter above all exterior entrances that shall be calibrated by an appropriate City Engineer/Inspector. The subject noise meter shall be installed within 60 days from the effective date of this determination. Any sound, noise, or vibration emitted, that is under the control of the petitioner(s) that is audible or physically discernable beyond the confines of the subject property, shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. The petitioner(s) and/or business operator(s) shall make every effort to control any unnecessary noise made by the employees of the restaurant, bar, or lounge facilities, or any noise associated with the operation of the restaurant, bar, and lounge , or equipment of the restaurant bar, and lounge facilities.

- Pursuant to Section 111.03, a Minimum Ambient Noise Level of 55d8 [sic] or better shall be maintained at the zone boundary (Hollywood Boulevard on the north, Wilcox to the west, Cahuenga Avenue to the east, and Selma Avenue to the south) of the subject restaurant/bar from the opening hours until the close of business, daily.

- No live entertainment features, no ambient music or other forms of amplified sound are permitted in the outdoor portions of the subject property, which are under the petitioner's control, The petitioner(s)is prohibited from installing, temporary placing, or otherwise using and sound amplification devices, systems, or instruments in any of the outdoor dining or lounge areas of the subject premises. The petitioner(s) is similarly

prohibited from projecting amplified music out onto the outdoor dining or lounge areas of the subject premises or otherwise permitting amplified or acoustic sounds, produced within the fully enclosed portions of the premises to extended from those portions to adjoining or adjacent outdoor dining or lounge areas under the petitioner(s) control.

- There shall be no Dance Floor arrangement permitted in the subject premises. Patron dancing is not permitted nor shall the Petitioner(s) accommodate or endorse dancing features in any fashion.

- Line queuing on any public sidewalk adjacent to the subject property is prohibited. Additionally, if the location meets its occupancy limit, patrons will not be permitted to wait in a line on 6415 Selma to gain later admission into the premises. The applicant(s) will be required to maintain the public sidewalks surrounding the subject premises free of obstruction whether the obstruction represents persons waiting to be admitted into the premises or semi-fixed objects such a barriers or stanchions commonly used for line queuing.

- The Zoning Administrator reserves the right to require that a Plan Approval application be filed pursuant to LAMC 12.24-M if there is a change in the operator or operators of the subject premises, or if it is determined that the at new operation at or within the subject property is not in substantial conformance with the approved floor plan, or has changed the mode or character from the original approval.

- Bottle and/or Table service involving the distribution of distilled spirits shall be prohibited. “Buckets” of beer and portable bars are prohibited. There shall be no “Minimum drink” required of patrons.

I think this is a more than fair proposition, considering all that the community has had to put up with from this applicant, and provides a actual benefit to the community. It is a win-win, for the applicant, and the residents of Hollywood. You will be modifying the Q Conditions anyway, why not add these protective conditions in and help innocent people who should not be negatively impact from this project?

Thank you for your time,

RESPONSE TO COMMENT 2A.13

The commenter provides recommendations and measures for the Project to reduce issues raised within this comment letter. As this comment does not contain any substantive comments or questions about the Project, this comment will be included in the record and forwarded to the decision makers for their consideration.

COMMENT LETTER NO. 2B

David Carrera
6530 Leland Way
Los Angeles, CA 90028
May 31, 2020

COMMENT 2B.1

This letter is an addendum to my previous letter, dated May 28, 2020, on this matter.

In my May 28, 2020 letter, I went into some detail about the applicant's illegal use of the property (the nightclub rooftop) but I stayed away from talking about the CUB entitlement, and tried to stay focused on just the Zone Variance request. I did this because for the applicant's last case on this project, ZA-2013-3504-ZV, I argued extensively at the time that the related CUB case, CPC-2007-3931-ZC-HD-CUB-ZV-SPR, should be examined and amended. Not only was I not successful in that but the Zoning Administer was extremely dismissive of my written argument and in fact would not even let me talk about it at the hearing.

Due to that experience, I had decided to keep my comments firmly on the Zone Variance and Q Conditions. After further consideration, I feel that CUB comments are appropriate and should be heard and considered. My May 28th letter clearly spells out why I believe they should be heard (the applicant's rooftop nuisance nightclub).

To be clear, while the conditional use approved under CPC-2007-3931-ZC-HD-CUB-ZV-SPR was very generous, it was approved in the context of the hotel that was originally approved, which was a "120 guest rooms and suites within the third to ninth floors with ancillary uses not to exceed the square footage and seats as follows: (a) a 2,150 square foot ground floor lobby and bar/lounge; (b) on the eighth floor (i) an approximately 1,749 square foot kitchen; (ii) an approximately 4,994 square foot banquet/ballroom facility and ancillary terraces with a total of 264 seats; (iii) an approximately 2,318 square foot courtyard with 18 seats; and (iv) two hotel suites totaling approximately 1,679 square feet." Put more simply, the conditional use was approved within a 120-room, nine-story hotel with a banquet/ballroom on the 8th floor, and as per Exhibit "A", a 9th floor which is partially enclosed, but primarily an outdoor rooftop space. Correspondingly, the conditional use that was approved was for the "on-site sale and consumption of a full line of alcoholic beverages in conjunction with the

proposed hotel at the following locations: (1) first floor lobby bar; (2) 8th floor banquet facility with reception/courtyard area; (3) rooftop including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area; (4) controlled-access liquor cabinets to be located within the hotel rooms, and (5) the on-site sale of a full line of alcoholic beverages by way of room service."

When the 2013 zone variance was approved, it approved a 182-room hotel (in lieu of 120 rooms) within 10 stories (in lieu of 9 stories), with no banquet/ballroom on the 8th floor and no restaurant or patio/pool lounge area or outdoor bar and a wedding garden area on the 9th floor/rooftop, and now with "a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and restaurant with indoor and outdoor seating" when no such space was approved under CPC-2007-3931-ZC-HD-CUB-ZVSPR. Though the point was raised at the time, the zone variance intentionally did not modify the CUB (or require that the CUB be modified) as the applicant argued that the CUB was not before the Zoning Administrator. Whether or not it would have been proper for the Zoning Administrator to require that the applicant obtain a new conditional use approval to be consistent with the requested zone variance, the facts are clear that the only applicable conditional use approval (the CUB approved under CPC-2007-3931-ZC-HD-CUB-ZV-SPR) is not consistent with the approved zone variance. The applicable CUB is limited to 120 rooms, within a 9-story hotel, with a banquet/ballroom on the 8th floor and a patio/pool lounge area or outdoor bar and a wedding garden area on the 9th floor/rooftop.

Therefore, it is well within the Zoning Administrator's authority, and would not conflict with the 2007 CUB, to impose conditions and restrictions relating to the additional 62 hotel rooms, and the 10th floor rooftop deck, as those were not approved under the 2007 CUB, and were only permitted under the 2013 zone variance, of which the current plan approval is subject to. The recommended conditions I provided in my previous letter would be applicable only to the 10th floor rooftop deck, clearly within the jurisdiction of the Zoning Administrator when acting upon the current plan approval to the zone variance which is the only document permitting a 10th floor rooftop deck.

My previous letter suggested conditions pertaining to the rooftop be applied to the Q Conditions, and I still stand by that, but I worry about enforcement. The applicant has not abided by DCP conditions in the past, I have my doubts they would respect them in the future. So maybe it would be best to amend the CUB, a document that LAPD and CA ABC are used to dealing with. Or even better, the conditions should be in both places.

RESPONSE TO COMMENT 2B.1

This comment states that the modifications to the Dream Hotel as considered and approved in the 2014 Zone Variance Approval necessitate amendments to the existing CUB conditions contained in the 2008 Zone Change Approval. The Zoning Administrator in this case does not have authority to impose new or modified CUB conditions related to the 2008 Zone Change Approval as it is beyond the scope of the requested entitlements. The 2014 Zone Variance Approval did not request modifications to the CUB conditions, nor include any conditions modifying the granted CUB. Additionally, LAMC Section 12.27 permits the Zoning Administrator to impose conditions only in connection with the original variance request. Further, modifications are not required because the Project has been operating in full compliance with the existing CUB conditions, and the 2014 Zone Variance Approval and Building Permit Approvals did not materially alter the grants and conditions outlined in the 2008 Zone Change Approval.

ATTACHMENT B

Overland Traffic Consultants, Inc.

Overland Traffic Consultants
South Office
952 Manhattan Beach Bl, #100
Manhattan Beach, CA 90266
E-mail: liz@overlandtraffic.com

OFF-SITE VALET OPERATON EVALUATION
Dream Hotel at 6415-6417-6419 Selma Avenue
(DOT Case No. CEN 07-3600)
(Planning Case No. ZA-2013-3504(ZV))

The Dream Hotel Project at 6415-6417-6419 Selma Avenue (Project Site) in Hollywood is constructed and has been operating since 2017. The hotel includes 182 guest rooms and 6,031square feet of commercial including 5,229 square feet of restaurant/bar and 802 square feet of retail. The Proposed Project consists of the modification of the previously granted variance and conditions of approval for case number ZA-2013-3504-ZV ("ZA Case") by (a) increasing the total Proposed Project floor area to 93,803 square feet, with no change to the overall FAR or gross floor area, (b) increasing the total commercial floor area to 6,031 square feet, (c) increasing the total lot size to 16,173 square feet to reflect the alley vacation, (d) increase the on-site parking requirement to 79 spaces, and (e) permit required parking to be provided off-site by lease agreement or covenant. No physical alterations are proposed or requested as part of the Proposed Project or this application.

The Los Angeles Department of Transportation (LADOT) has reviewed and approved the traffic study analyses for the previously approved projects at 6415-6417-6419 Selma Avenue in the Hollywood Community Plan area of the City of Los Angeles, including (1) the Traffic Study, two supplemental analyses, and a technical letter for the 2008 approval of CPC-2007-3931-ZC-HD-CUB-ZV-SPR ("2008 Project"); (2) supplemental traffic analysis for the 2010 approval of DIR-2010- 2962-CLQ ("2010 Project"); and (3) supplemental traffic analysis for the 2014 approval of ZA-2013-3504-ZV ("2014 Project").The potential traffic impacts of the 2008 Project were analyzed by Overland Traffic Consultants with an approved 2007 Traffic report and supplemental analyses. A supplemental traffic analysis was provided on December 2019 to evaluate traffic from the Project as constructed . The 2007 traffic study included analyses of fifteen intersections during the PM Peak Hour and Late PM Peak Hour to determine if there were significant traffic impacts during the evening commute hours and late-night Hollywood activities. No significant traffic impacts were identified. The LADOT review letter is provided in Attachment A.

The Project has been providing valet services from the Project Site to 1528 Ivar Avenue, and will continue to provide valet service for the patrons of the hotel and amenities with the requested approval. Valet services are provided along the north

side of Selma Avenue and east side of Wilcox Avenue. The valet parking areas are being considered at the following three off site locations for informational purposes. Pursuant to the requested approvals, all parking would be provided off site either through covenant or lease.

A. 6516 Selma Avenue with 30 parking spaces (Identified as Lot A);
B. 1541 Wilcox Avenue with 35 parking spaces (Identified as Lot B); and,
C. 1528 Ivar Avenue with 14 parking spaces (Identified as Lot C).

These valet services will add additional vehicle trips in the area immediately surrounding the Project.

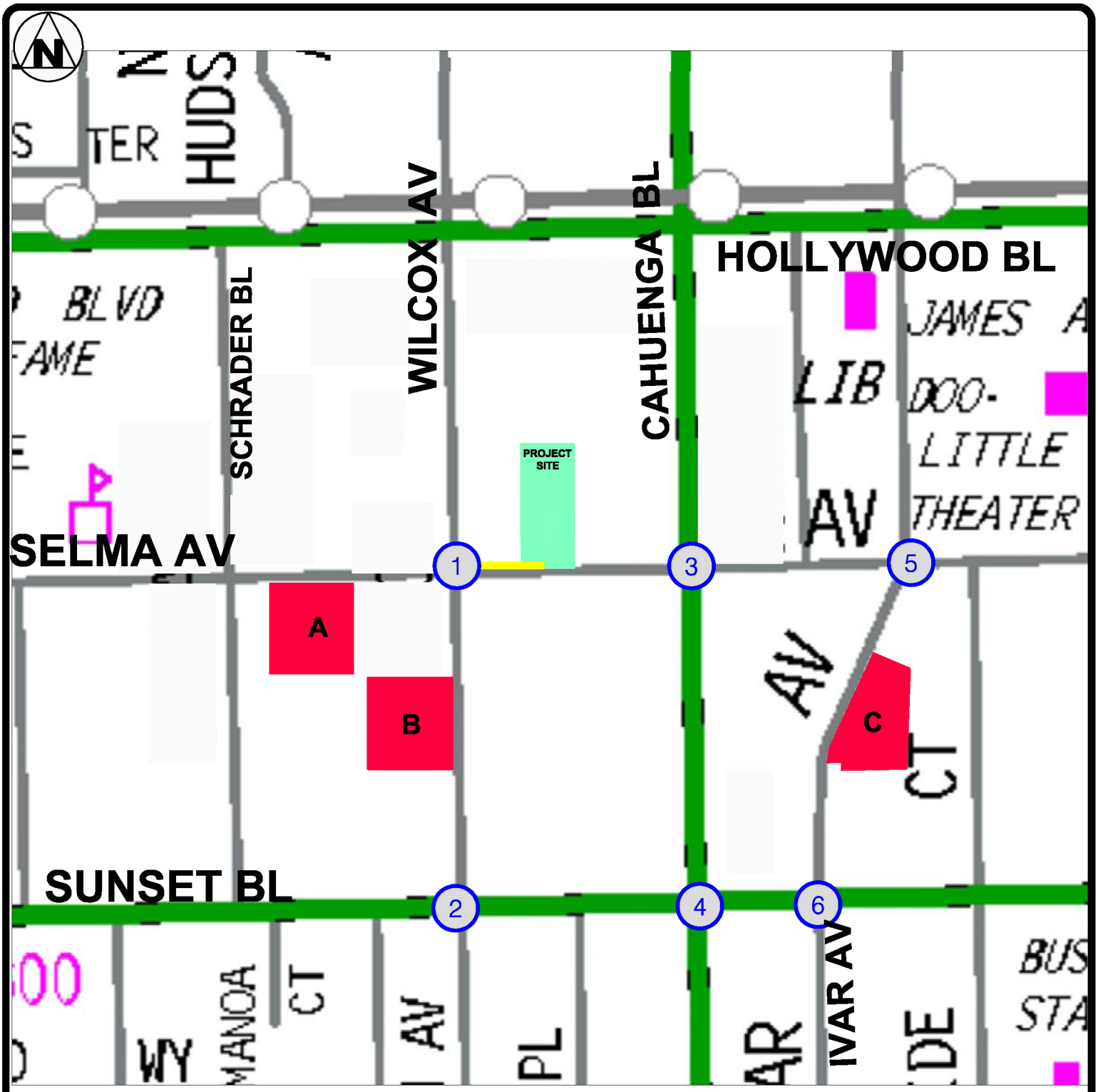
This analysis evaluates potential impacts from valet service with off-site parking and whether there will be significant impacts to the surrounding area. Please note that this analysis is for informational purposes only. The Project Site is an employment center project[1] located on an infill site within a Transit Priority Area as defined by the Senate Bill 743. The off-site parking locations are also located within Transit Priority Areas. As such, impacts from the Project related to parking are not considered significant impacts on the environment. Nevertheless, the analysis evaluates potential impacts from the off-site parking under both Level of Service (LOS) and Vehicle Miles Travelled (VMT) methodologies.

A LOS analysis has been conducted at four of the 15 previously analyzed study locations with 2 added locations. Valet drop off and return of the vehicles will not affect 11 if the previously analyzed study locations but may affect two additional location in close proximity to the 1528 Ivar Avenue off-site parking location. The study intersections include:

1. Wilcox Ave. & Selma Ave.
2. Wilcox Ave. & Sunset Blvd.
3. Cahuenga Blvd. & Selma Ave.
4. Cahuenga Blvd. & Sunset Blvd.
5. Ivar Ave. & Selma Ave.
6. Ivar Ave. & Sunset Blvd.

Figure 1 displays the location of the proposed off-site parking areas and the study intersections. Figures 2a, 2b and 2c each of the three off-site parking areas with routes from the valet zone to the off-site parking area when a vehicle is dropped-off and from the off-site parking area back to the valet zone when a vehicle is being picked up.

[1] "Employment Center Project" means a project located on a property zoned for commercial uses with a floor area ratio of no less than 0.75 and that is located within a transit priority area. (*See* Pub. Resources Code § 21099(a)(1).)



OFF SITE LOT A: 6516 SELMA AVENUE
OFF SITE LOT B: 1541 WILCOX AVENUE
OFF SITE LOT C: 1528 IVAR AVENUE

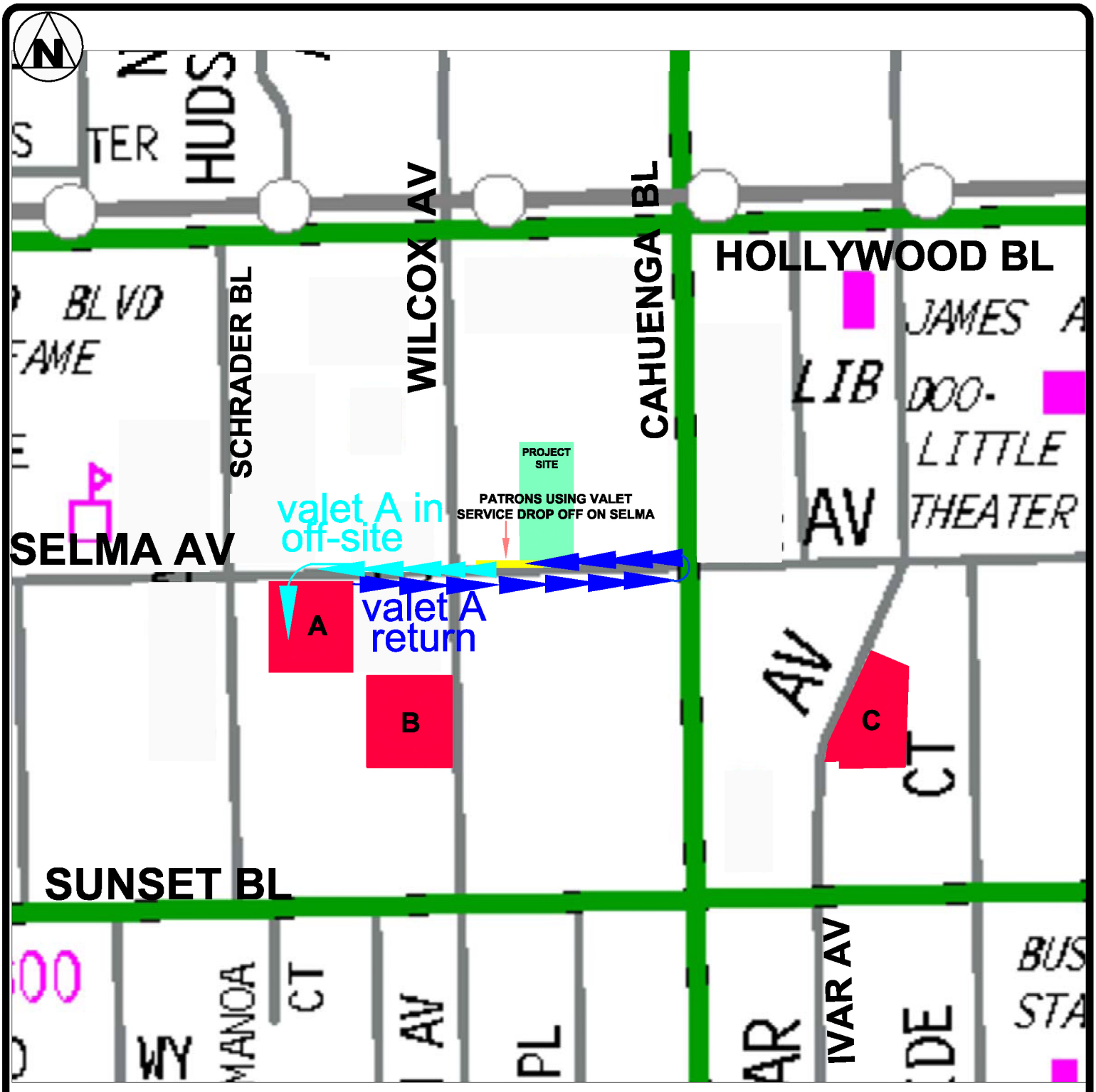
PASSENGER LOADING ZONE

FIGURE 1

8/2020

STUDY INTERSECTION LOCATIONS

Overland Traffic Consultants, Inc.
952 Manhattan Beach Bl, #100, Manhattan Beach, CA 90266
(310) 545-1235 phone, liz@overlandtraffic.com



OFF SITE LOT A: 6516 SELMA AVENUE
OFF SITE LOT B: 1541 WILCOX AVENUE
OFF SITE LOT C: 1528 IVAR AVENUE

VALET PARKING OFF-SITE AT 6516 SELMA AVENUE

VALET OFF-SITE RETURNING PATRON VEHICLE

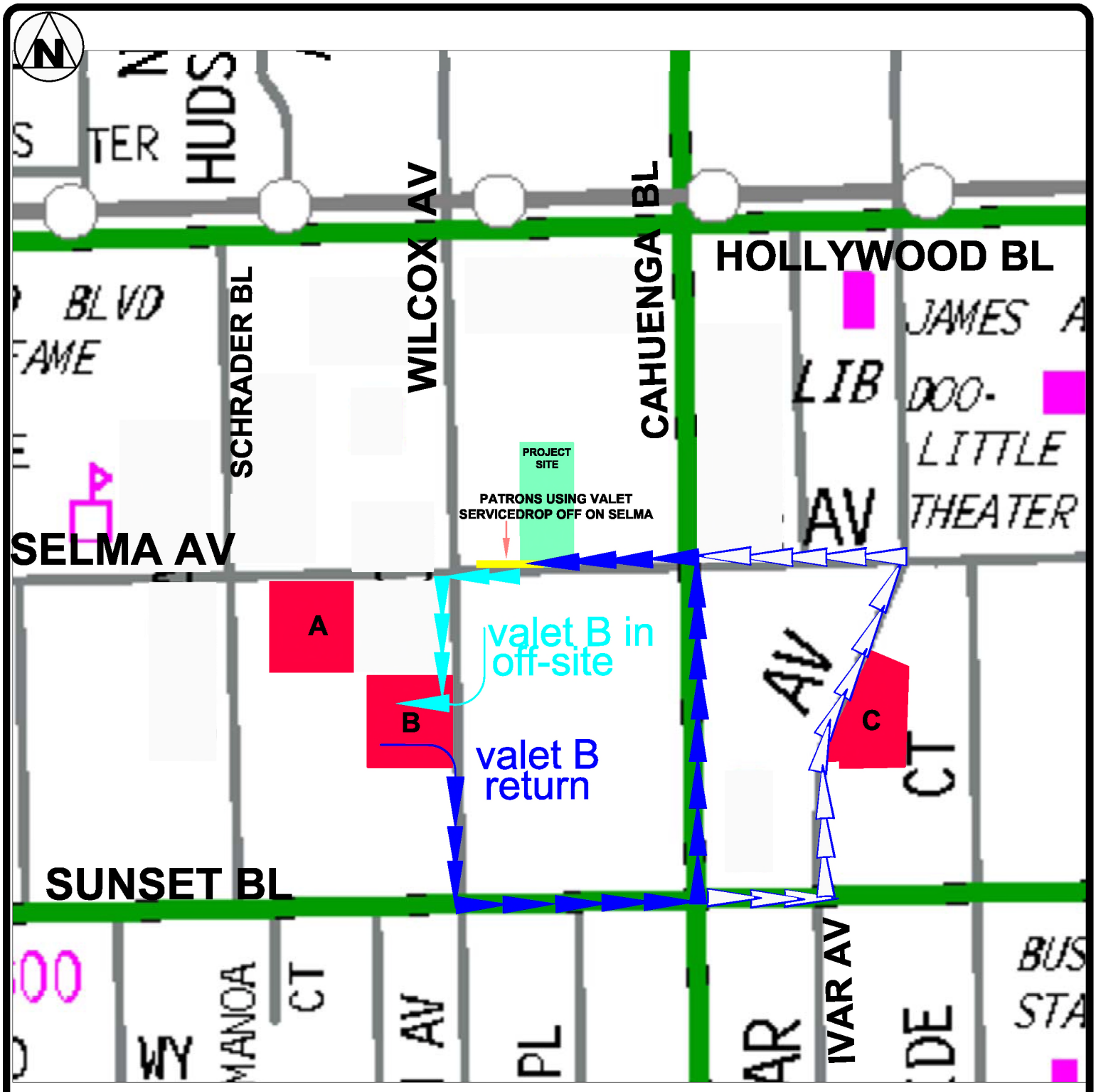
PASSENGER LOADING ZONE

FIGURE 2A

8/2020

VALET OFF-SITE SERVICES
ROUTE TO/FROM 6516 SELMA AVENUE (LOT A)

Overland Traffic Consultants, Inc.
952 Manhattan Beach Bl, #100, Manhattan Beach, CA 90266
(310) 545-1235 phone, liz@overlandtraffic.com



OFF SITE LOT A: 6516 SELMA AVENUE
OFF SITE LOT B: 1541 WILCOX AVENUE
OFF SITE LOT C: 1528 IVAR AVENUE

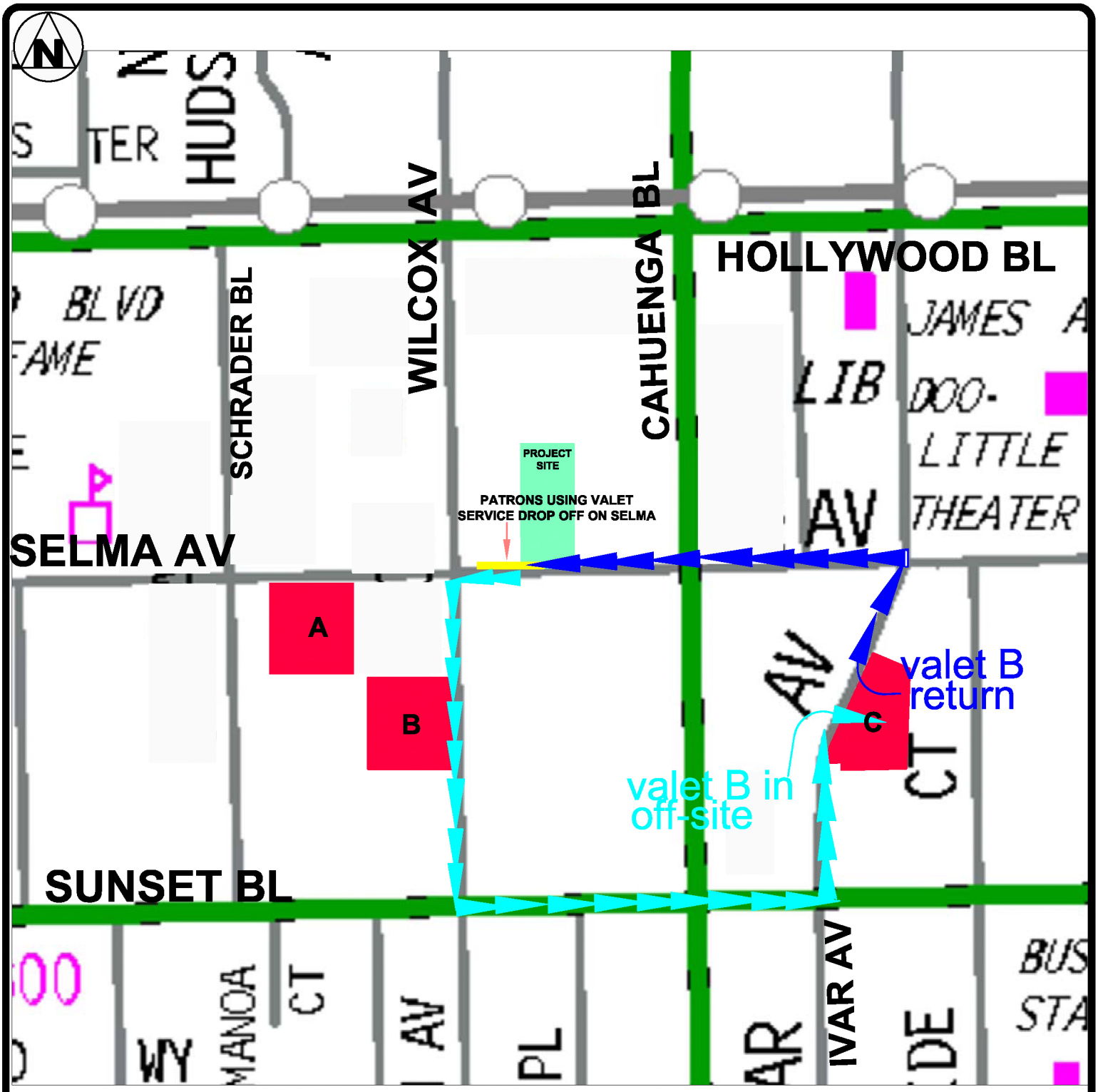
- VALET PARKING OFF-SITE AT 1541 WILCOX
- VALET OFF-SITE RETURNING PATRON VEHICLE (Except 4 to 7 PM weekdays)
- VALET OFF-SITE RETURNING PATRON VEHICLE (Route extended ONLY 4 to 7 PM weekdays due to left turn restrictions at Selma & Cahuenga)
- PASSENGER LOADING ZONE

FIGURE 2B

8/2020

VALET OFF-SITE SERVICES
ROUTE TO/FROM 1541 WILCOX (LOT B)

Overland Traffic Consultants, Inc.
952 Manhattan Beach Bl, #100, Manhattan Beach, CA 90266
(310) 545-1235 phone, liz@overlandtraffic.com



OFF SITE LOT A: 6516 SELMA AVENUE
OFF SITE LOT B: 1541 WILCOX AVENUE
OFF SITE LOT C: 1528 IVAR AVENUE

VALET PARKING OFF-SITE AT 1528 IVAR AVENUE
VALET OFF-SITE RETURNING PATRON VEHICLE

PASSENGER LOADING ZONE

FIGURE 2C

8/2020

VALET OFF-SITE SERVICES
ROUTE TO/FROM 1528 IVAR (LOT C)

Overland Traffic Consultants, Inc.
952 Manhattan Beach Bl, #100, Manhattan Beach, CA 90266
(310) 545-1235 phone, liz@overlandtraffic.com

Note that PM Peak Hour and Late PM Peak Hour trip distribution varies at Lot B because no left turns are permitted for northbound and southbound Cahuenga Boulevard at Selma Avenue from 4 PM to 7PM on weekdays.

Valet trips were estimated as providing service for 90% of the PM and Late PM peak hour traffic. The balance would be employees or patrons who choose to self-park. The distribution for the study intersections is based on the percentage of trips to/from each location. For purposes of this study, the following parking allocations have been made. 79 parking spaces are proposed off-site. Thirty off-site parking spaces will be provided at 6516 Selma Avenue for a total of 38% of the parking ((30 / 79) X 100 = 37.9%). The driveway for this lot is on the south side of Selma Avenue west of Wilcox Avenue. Thirty-five off-site parking spaces will be provided at 1541 Wilcox Avenue for a total of 44% of the parking ((35 / 79) X 100 = 44.3%). The driveway for this lot is on the west side of Wilcox Avenue south of Selma Avenue. Fourteen off-site parking spaces will be provided at 1528 Ivar Avenue for a total of 18% of the parking ((14 / 79) X 100 = 17.7%). The driveway for this lot is on the east side of Ivar Avenue south of Selma Avenue. The valet trips were added to the Project development trips based on their route to each parking lot as shown in Figure 2 a, b and c.

Critical Movement Analysis (CMA) has been conducted at the six (6) study intersections in the same manner as the approved traffic study from the 2008 Project. Due to COVID-19 changes in traffic patterns no new count data was collected. Most recent available PM Peak Hour traffic counts used in the is analysis were conducted during May 2016 and May 2018. The Late PM Peak Hour counts are from the approved traffic study. The counts were updated to existing year 2020 by ambient growth of 1% per year. No Late PM Peak Hour counts were available for Ivar Avenue at Selma Avenue or Sunset Boulevard because they were not part of the original traffic study for the Project and no new counts were located. The new counts are presented in Attachment B. This new analysis uses the trip generation as presented in the December 2019 supplemental analysis with the additional off-site valet trips added. The CMA worksheets are provided in Attachment C.

The conclusions in the approved traffic study are not changed with this analysis. No significant LOS traffic impacts have been identified with the addition of the off-site parking area valet trips.

Table 1
CMA Summary – Approved Traffic Study Project Trips + Off-Site Valet Trips

No.	Intersection	Peak Hour	Existing 2020 CMA	Existing 2020 LOS	Existing (2020) +Project CMA	Existing (2020) +Project LOS	Existing (2020) +Project Impact	Significant Impact	Future (2021) Without Project CMA	Future (2021) Without Project LOS	Future (2021) Without Project Growth	Future (2021) With Project CMA	Future (2021) With Project LOS	Future (2021) With Project IMPACT	Significant Impact
1	Selma Avenue &	PM	0.439	A	0.534	A	+ 0.095	NO	0.603	B	+ 0.069	0.698	B	+ 0.095	NO
	Wilcox Avenue	Late PM	0.382	A	0.496	A	+ 0.114	NO	0.545	A	+ 0.049	0.659	B	+ 0.114	NO
2	Sunset Boulevard &	PM	0.565	a	0.607	B	+ 0.042	NO	0.624	B	+ 0.017	0.672	B	+ 0.048	NO
	Wilcox Avenue	Late PM	0.476	A	0.486	A	+ 0.010	NO	0.587	A	+ 0.101	0.596	A	+ 0.009	NO
3	Selma Avenue &	PM	0.457	A	0.502	A	+ 0.045	NO	0.580	A	+ 0.078	0.625	B	+ 0.045	NO
	Cahuenga Boulevard	Late PM	0.462	A	0.565	A	+ 0.103	NO	0.593	A	+ 0.028	0.687	B	+ 0.094	NO
4	Sunset Boulevard &	PM	0.704	C	0.715	C	+ 0.011	NO	0.790	D	+ 0.075	0.802	D	+ 0.012	NO
	Cahuenga Boulevard	Late PM	0.601	B	0.627	B	+ 0.026	NO	0.689	B	+ 0.062	0.714	C	+ 0.025	NO
5	Selma Avenue &	PM	0.353	A	0.369	A	+ 0.016	NO	0.467	A	+ 0.098	0.502	A	+ 0.035	NO
	Ivar Avenue	Late PM	0.353	A	0.373	A	+ 0.020	NO	0.469	A	+ 0.096	0.489	A	+ 0.020	NO
6	Sunset Boulevard &	PM	0.461	A	0.475	A	+ 0.014	NO	0.607	B	+ 0.132	0.617	B	+ 0.010	NO
	Ivar Avenue	Late PM	0.461	A	0.463	A	+ 0.002	NO	0.608	B	+ 0.145	0.609	B	+ 0.001	NO

VMT TRAFFIC ANALYSIS

The December 2019 Supplement Traffic Analysis (Supplement) for the Dream Hotel Project presented an analysis of the potential traffic impacts for the Project as it was constructed and operating since 2017. The Supplement presented a Trip Generation and Vehicle Miles Traveled (VMT) analysis of the Project. As with the LOS Analysis, no significant Household VMT or Work VMT impact was identified.

The Project is located in the Central Area Planning Commission (APC) and has a VMT Impact Criteria (15% below the APC average) daily household VMT per Capita of 6.0 and daily work VMT per employee of 7.6. The Project has a calculated Household VMT of 0 and Work VMT of 6.5 and indicated in the December 2019 Supplement. Both are below the impact threshold. The off-site valet vehicle services trips are short in nature an do not add to the Project's VMT impact. No VMT impact would be created by the addition of the short valet trips.

ATTACHMENT A

LADOT REVIEW LETTER

FORM GEN. 160A (Rev. 1/82)

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

6417 Selma Av
DOT Case No. CEN 06-3600

Date: December 27, 2007

To: Hadar Plafkin, City Planner
Department of City Planning

From: Mike Bagheri, Transportation Engineer
Department of Transportation

Subject: **TRAFFIC IMPACT STUDY FOR THE PROPOSED SELMA HOTEL LOCATED AT 6417 SELMA AVENUE (ENV-2007-3932-EAF)**

The Los Angeles Department of Transportation (LADOT) has reviewed the traffic study dated October 29, 2007, prepared by traffic consultant Overland Traffic Consultants, Inc., for the proposed Selma Hotel located at 6417 Selma Avenue within the Community Redevelopment Agency of Los Angeles (CRA/LA) Hollywood Redevelopment Plan Area (Attachment 1). Per the LADOT Traffic Study Policies and Procedures Revised March 2002, a significant impact is identified as an increase in the Critical Movement Analysis (CMA) value, due to project related traffic, of 0.010 or more when the final ("with project") Level of Service (LOS) is LOS E or F; an increase of 0.020 or more when the final LOS is LOS D; or an increase of 0.040 or more when the final LOS is LOS C. The traffic study analyzed fifteen (15) intersections and determined that none of the study intersections would be significantly impacted by the project related traffic (Attachment 2). Except as noted, the study adequately evaluated the project related traffic impacts on the surrounding community.

DISCUSSION AND FINDINGS

Project Description

The proposed project consists of the renovation and expansion of an existing parking structure into a hotel with restaurant, bar, and ballroom uses. A 100-room hotel with a 1,300 square foot reception area with lobby bar on the ground floor, a 6,246 square foot restaurant/courtyard/lounge, a 4,000 square foot ballroom for evening use and a 6,767 square foot rooftop pool bar/lounge including an outdoor lounge and visiting areas would be constructed on top of an existing two-story parking structure.

The project proposes to provide vehicular access via an existing driveway on Selma Avenue west of Cahuenga Boulevard. The project proposes to provide Valet service from inside the garage or along Selma Avenue if approved by LADOT. The project proposes to provide 40 parking spaces utilizing up to 30 mechanical lifts and valet service during peak periods. The valets would use a vehicle elevator lift to park the vehicles on the

second floor. The valets would bring the patrons their vehicle directly if the vehicle is parked on the first floor. If the vehicle is parked on the second floor, the valets would use the current access from the alley which exits to Cahuenga Boulevard and return to the parking garage first floor along Selma Avenue. At the request of the CRA, the existing north-south alley to the east of the project site would not be used for vehicle circulation, but would be converted to a pedestrian oriented environment. The project will be completed by 2010.

Trip Generation

The project is expected to generate 1,932 daily trips with 165 trips in the PM peak hour and 202 trips in the late evening/morning peak hour (Attachment 3).

PROJECT REQUIREMENTS

A. Construction Impacts

LADOT recommends that a construction work site traffic control plan be submitted to LADOT's Hollywood-Wilshire District Office for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. LADOT also recommends that all construction related traffic be restricted to off-peak hours.

B. Highway Dedication and Street Widening Requirements

Selma Avenue is classified as a local street which requires a 20-foot half-width roadway on a 30-foot half-width right-of-way.

It appears that highway dedication and street widening may be required for street fronting the proposed project. The developer should check with the Bureau of Engineering's (BOE) Land Development Group to determine the highway dedication, street widening and sidewalk requirements for the project.

C. Parking Analysis

The project proposes to provide approximately 40 parking spaces. The developer should check with the Department of Building and Safety on the number of Code required parking spaces needed for the project.

D. Driveway Access

The review of this study does not constitute approval of the driveway access and circulation scheme. Those require separate review and approval and should be coordinated as soon as possible with LADOT's Citywide Planning Coordination

Section (201 N. Figueroa Street, 4th Floor, Station 3 @ 213-482-7024) to avoid delays in the building permit approval process. In order to minimize and prevent last minute building design changes, it is imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact LADOT for driveway width and internal circulation requirements so that such traffic flow considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. All driveways should be Case 2 driveways and 30 feet wide, unless otherwise noted. Any proposed gates should have 20' minimum reservoir space from the property line. All delivery truck loading and unloading shall take place on-site with no trucks backing into or out of the project site from any adjacent street.

If you have any questions, please contact Eileen Hunt of my staff at (213) 972-8481.

Attachments

cc: Mitch O'Farrell, Council District No. 13
Jeannie Shen, Hollywood-Wilshire District, LADOT
Taimour Tanavoli, Citywide Planning Coordination Section, LADOT
Carl Mills, Central District, BOE
Liz Culhane, Overland Traffic Consultants, Inc.

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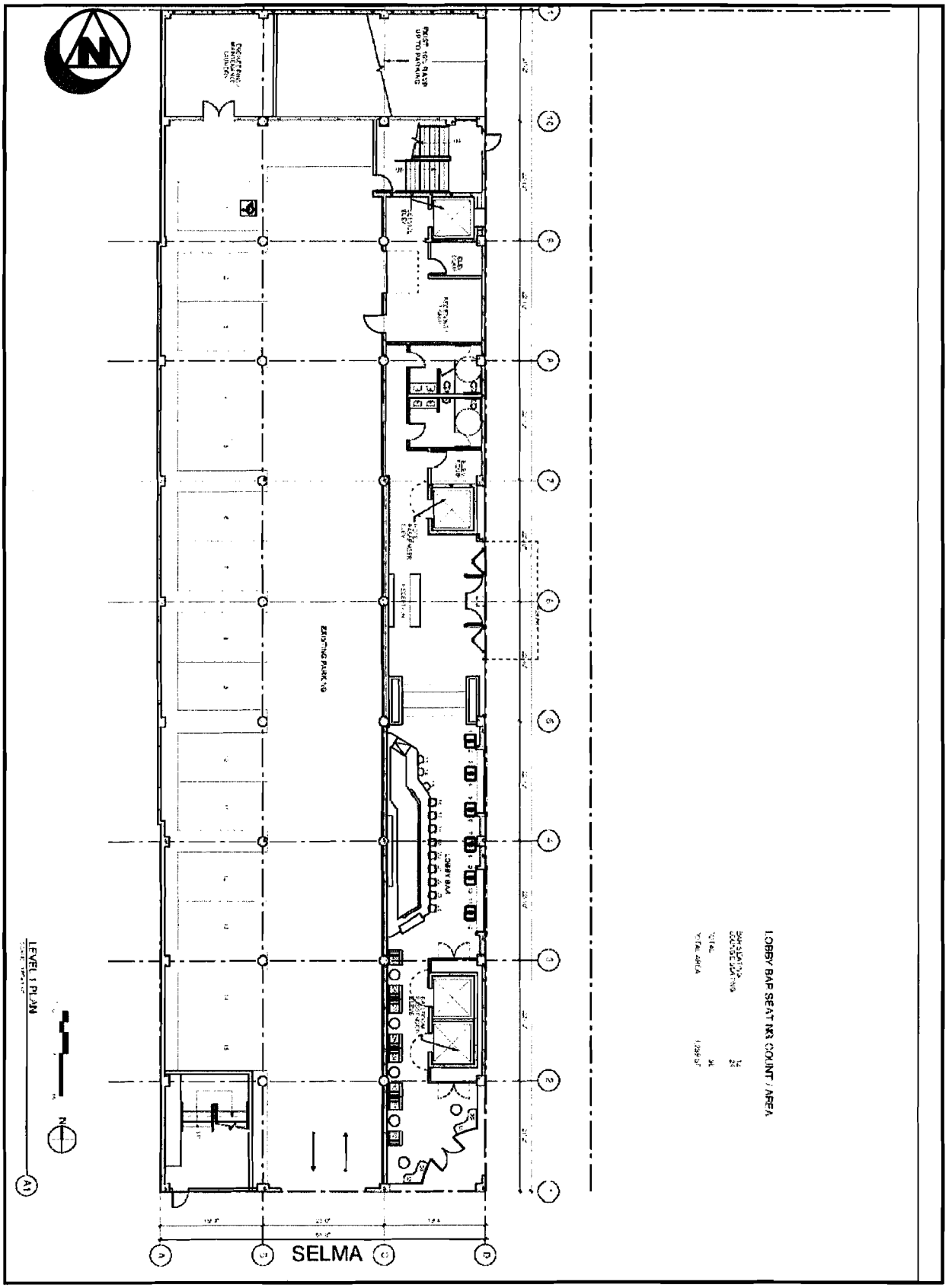


FIGURE 2

9/28/07

PROJECT SITE LAYOUT

Overland Traffic Consultants, Inc.
27201 Tourney Road #206, Santa Clarita, CA 91355
(661)799-8423 v, (661)799-8456 f, OTC@overlandtraffic.com

Table 9
Future (2010) Traffic Conditions With Project

No.	Intersection	Peak Hour	Future Without Project CMA	LOS	Future With Project CMA	LOS	IMPACT	Significant?
1	Hollywood Boulevard &	PM	0.794	C	0.803	D	+ 0.009	No
	Schrader Boulevard	Late PM	0.682	B	0.694	B	+ 0.012	No
2	Hollywood Boulevard &	PM	0.789	C	0.801	D	+ 0.012	No
	Wilcox Avenue	Late PM	0.585	A	0.603	B	+ 0.018	No
3	Hollywood Boulevard &	PM	0.970	E	0.975	E	+ 0.005	No
	Cahuenga Boulevard	Late PM	0.710	C	0.717	C	+ 0.007	No
4	Hollywood Boulevard &	PM	0.772	C	0.778	C	+ 0.006	No
	Vine Street	Late PM	0.645	B	0.660	B	+ 0.015	No
5	Selma Avenue &	PM	0.466	A	0.471	A	+ 0.005	No
	Schrader Boulevard	Late PM	0.417	A	0.422	A	+ 0.005	No
6	Selma Avenue &	PM	0.537	A	0.603	B	+ 0.066	No
	Wilcox Avenue	Late PM	0.407	A	0.484	A	+ 0.077	No
7	Selma Avenue &	PM	0.597	A	0.605	B	+ 0.008	No
	Cahuenga Boulevard	Late PM	0.442	A	0.512	A	+ 0.070	No
8	Wilcox Avenue &	PM	0.683	B	0.702	C	+ 0.019	No
	Sunset Boulevard	Late PM	0.453	A	0.465	A	+ 0.012	No
9	Cahuenga Boulevard &	PM	0.805	D	0.814	D	+ 0.009	No
	Sunset Boulevard	Late PM	0.517	A	0.524	A	+ 0.007	No
10	Cahuenga Bl & SB 101 Fwy Off	PM	1.066	F	1.072	F	+ 0.006	No
11	Argyle & Franklin/NB 101 Fwy On	PM	0.807	D	0.810	D	+ 0.003	No
12	Hollywood & SB 101 Fwy Ramps	PM	0.793	C	0.800	D	+ 0.007	No
13	Hollywood & NB 101 Fwy Ramps	PM	0.679	B	0.683	B	+ 0.004	No
14	NB 101 Fwy Off & Wilton/Harold	PM	0.775	C	0.779	C	+ 0.004	No
15	Sunset Bl & SB 101 Fwy On	PM	0.863	D	0.867	D	+ 0.004	No

Table 1
Trip Generation Rates

Description	ITE Code	Daily	PM Peak Hour of Street			PM Peak Hour of Generator		
			Total	In	Out	Total	In	Out
Hotel	310	8.17	0.59	0.31	0.28	0.61	0.35	0.26
Quality Restaurant	931	89.95	7.49	5.02	2.47	9.02	5.59	3.43
Drinking Place	936	10(PMof St)	11.34	7.48	3.86	15.49	10.53	4.96

Rates are per 1,000sf for Restaurants,drinking place & per room for hotel

Table 2
Estimated Project Traffic Generation

ITE Code	Description	Size	Daily	PM Peak Hour of Street			PM Peak Hour of Generator		
				Total	In	Out	Total	In	Out
310	Hotel	100 Rms	817	59	31	28	61	35	26
936	Lobby Bar*	1,300 sf	152	15	9	6	20	14	6
	Internal Capture	10%	(15)	(2)	(1)	(1)	(2)	(1)	(1)
	Transit/Rideshare/Walk	20%	(27)	(3)	(2)	(1)	(4)	(3)	(1)
	Pass By	20%	(22)	(2)	(1)	(1)	(3)	(2)	(1)
	Subtotal		88	8	5	3	11	8	3
931	Restaurant/Courtyard/Loui	6,246 sf	562	46	31	15	56	35	21
	Internal Capture	20%	(112)	(9)	(6)	(3)	(11)	(7)	(4)
	Transit/Rideshare/Walk	20%	(90)	(7)	(5)	(2)	(9)	(6)	(3)
	Pass By	10%	(36)	(3)	(2)	(1)	(3)	(2)	(1)
	Subtotal		324	27	18	9	33	20	13
936	Ballroom	4,000 sf	454	45	30	15	62	42	20
	Internal Capture	20%	(91)	(9)	(6)	(3)	(12)	(8)	(4)
	Transit/Rideshare/Walk	20%	(73)	(7)	(5)	(2)	(10)	(7)	(3)
	Pass By	10%	(29)	(3)	(2)	(1)	(4)	(3)	(1)
	Subtotal		261	26	17	9	36	24	12
936	Rooftop Pool Bar/Lounge	6,767 sf	767	77	51	26	106	71	34
	Internal Capture	20%	(153)	(14)	(10)	(5)	(21)	(14)	(7)
	Transit/Rideshare/Walk	20%	(123)	(13)	(8)	(4)	(16)	(11)	(5)
	Pass By	10%	(49)	(5)	(3)	(2)	(7)	(5)	(2)
	Subtotal		442	45	30	15	62	41	20
	Total		**1,932**	**165**	**100**	**65**	**203**	**129**	**74**

* Part of Hotel Reception - entire size used as drinking place for conservative estimate of traffic

ATTACHMENT B

PM PEAK HOUR
TRAFFIC COUNTS

ITM Peak Hour Summary

Prepared by:

National Data & Surveying Services

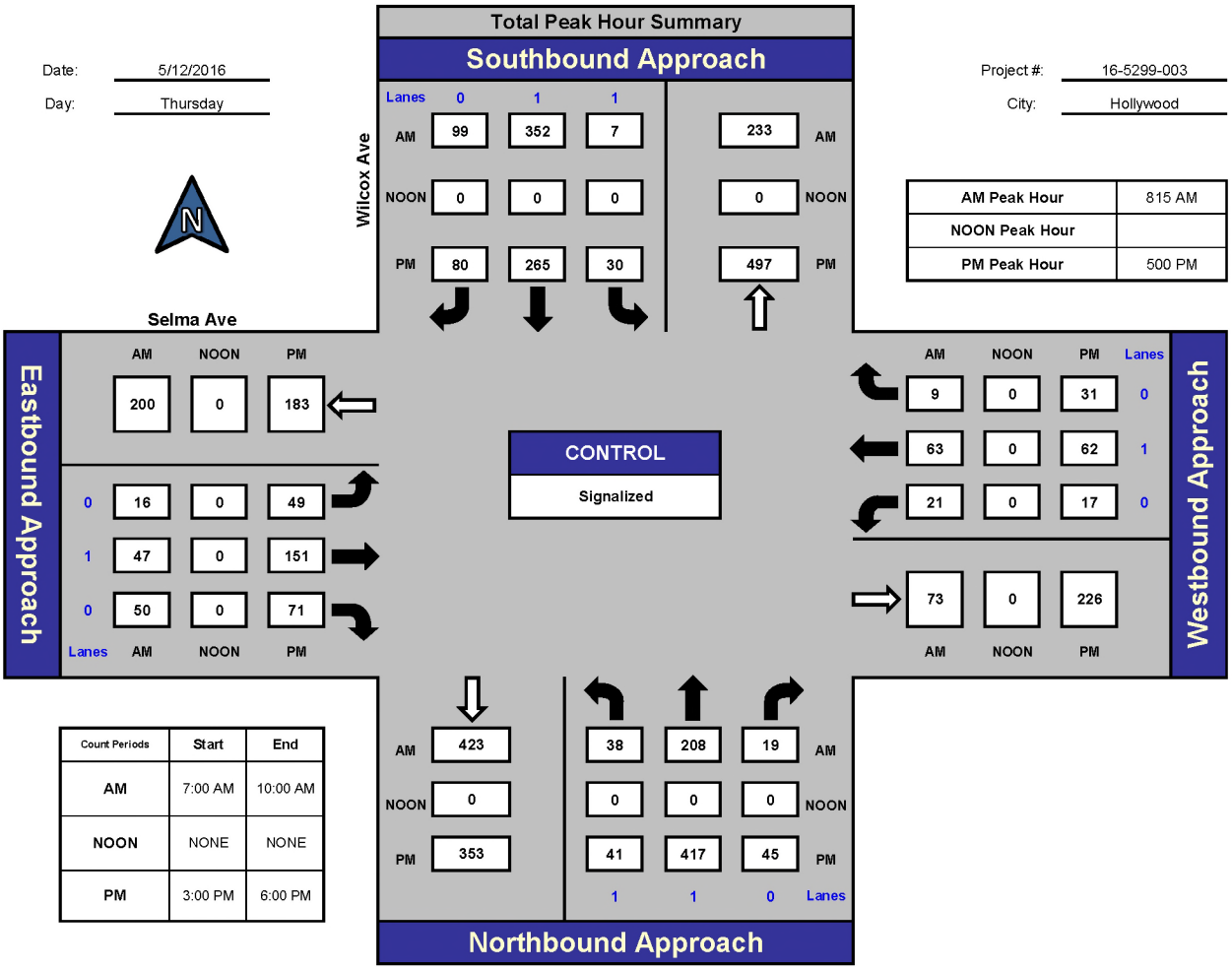
Wilcox Ave and Selma Ave , Hollywood

Date: 5/12/2016

Day: Thursday

Project #: 16-5299-003

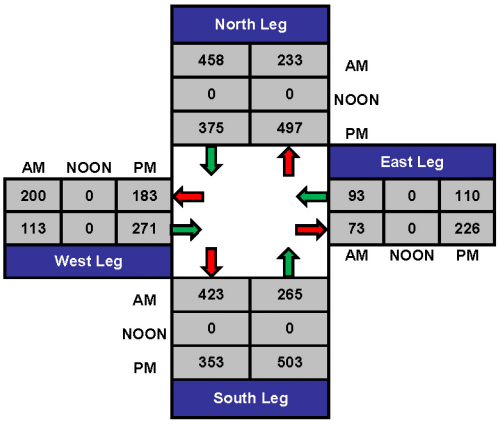
City: Hollywood



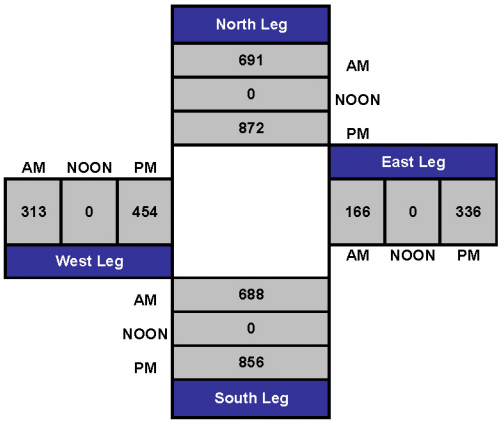
AM Peak Hour	815 AM
NOON Peak Hour	
PM Peak Hour	500 PM

Count Periods	Start	End
AM	7:00 AM	10:00 AM
NOON	NONE	NONE
PM	3:00 PM	6:00 PM

Total Ins & Outs



Total Volume Per Leg



Prepared by National Data & Surveying Services

Wilcox Ave & Sunset Blvd

Peak Hour Turning Movement Count

ID: 18-05272-047
City: Hollywood

Day: Wednesday
Date: 05/16/2018

PEAK HOURS	COUNT PERIODS
07:45 AM - 08:45 AM	07:00 AM - 10:00 AM
NONE	NONE
06:00 PM - 07:00 PM	04:00 PM - 07:00 PM

SOUTHBOUND (Wilcox Ave)

AM	70	383	66	0	235	AM
NOON	0	0	0	0	0	NOON
PM	65	269	32	0	478	PM

EASTBOUND (Sunset Blvd)

AM	NOON	PM	
1678	0	1341	
0	0	0	0
31	0	97	1
980	0	1497	2
29	0	19	0

WESTBOUND (Sunset Blvd)

PM	NOON	AM	
85	0	37	0
1240	0	1576	2
48	0	129	1
0	0	0	0
1582	0	1095	

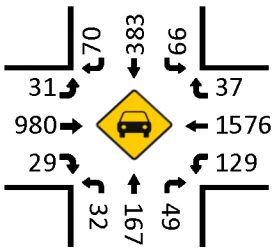
NORTHBOUND (Wilcox Ave)

PM	336	0	36	296	53	PM
NOON	0	0	0	0	0	NOON
AM	541	0	32	167	49	AM

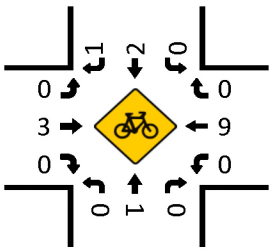
CONTROL: Signalized

TEV	3549 AM	0 NOON	3737 PM
PHF	0.98		0.94

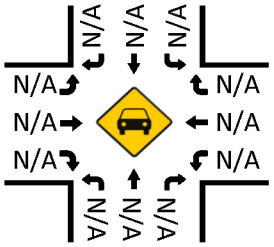
Total Vehicles (AM)



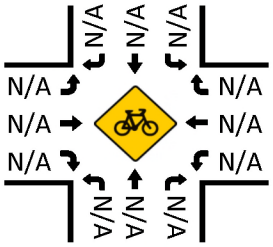
Bikes (AM)



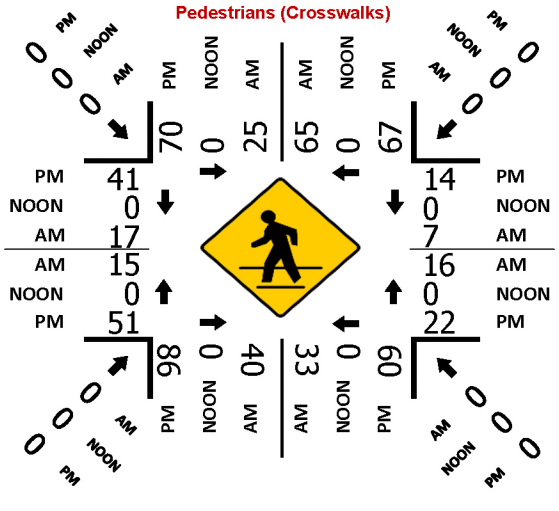
Total Vehicles (Noon)



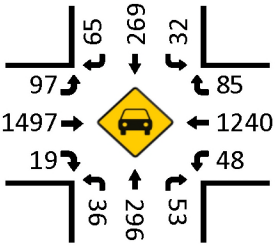
Bikes (NOON)



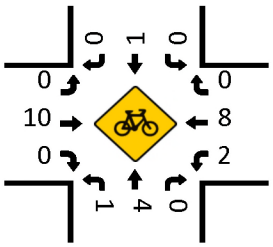
Pedestrians (Crosswalks)



Total Vehicles (PM)



Bikes (PM)



Prepared by National Data & Surveying Services

N Cahuenga Blvd & Selma Ave

Peak Hour Turning Movement Count

ID: 18-05272-041
City: Hollywood

Day: Tuesday
Date: 05/15/2018

PEAK HOURS

AM: 08:00 AM - 09:00 AM
NOON: NONE
PM: 05:45 PM - 06:45 PM

COUNT PERIODS

AM: 07:00 AM - 10:00 AM
NOON: NONE
PM: 04:00 PM - 07:00 PM

N Cahuenga Blvd — SOUTHBOUND

AM	58	1115	31	1	702	AM
NOON	0	0	0	0	0	NOON
PM	65	654	12	1	1033	PM

Selma Ave — EASTBOUND

AM	NOON	PM		
146	0	193	⇦	
0	0	0	↶	0
17	0	72	↱	0
48	0	139	→	1
21	0	41	↳	0

WESTBOUND — Selma Ave

PM	NOON	AM		
76	0	12	↰	0
120	0	72	←	1
39	0	18	↰	0
1	0	0	↶	0
215	0	95	⇨	

N Cahuenga Blvd — NORTHBOUND

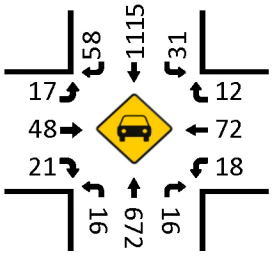
PM	735	1	8	884	63	PM
NOON	0	0	0	0	0	NOON
AM	1154	0	16	672	16	AM

CONTROL: Signalized

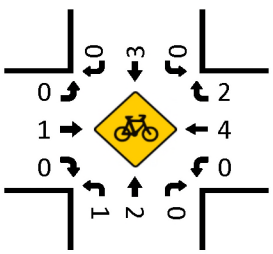
TEV	2097	0	2176
	AM	NOON	PM
PHF	0.95		0.94

0 2 0 0 (SB turning movements)
0 0 2 0 (NB turning movements)

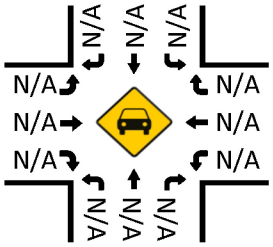
Total Vehicles (AM)



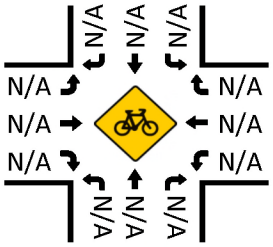
Bikes (AM)



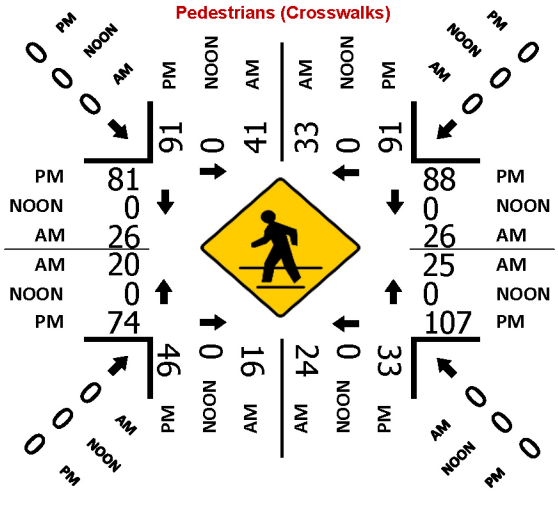
Total Vehicles (Noon)



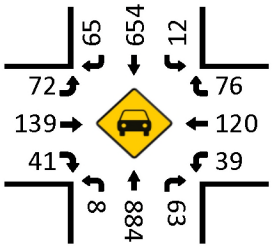
Bikes (NOON)



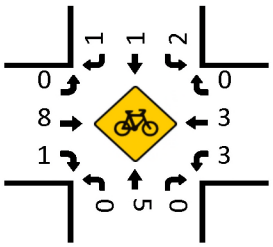
Pedestrians (Crosswalks)



Total Vehicles (PM)



Bikes (PM)



Prepared by National Data & Surveying Services

Cahuenga Blvd & Sunset Blvd

Peak Hour Turning Movement Count

ID: 18-05272-048
City: Hollywood

Day: Wednesday
Date: 05/16/2018

PEAK HOURS	COUNT PERIODS
08:15 AM - 09:15 AM	07:00 AM - 10:00 AM
NONE	NONE
06:00 PM - 07:00 PM	04:00 PM - 07:00 PM

SOUTHBOUND (Cahuenga Blvd)

AM	180	902	35	0	749	AM
NOON	0	0	0	0	0	NOON
PM	130	579	57	0	811	PM
	0	2	1	0		

EASTBOUND (Sunset Blvd)

AM	NOON	PM	
1510	0	1362	
0	0	0	0
160	0	230	1
984	0	1331	2
52	0	52	0
AM	NOON	PM	

CONTROL

Signalized

TEV	4342	0	4273
	AM	NOON	PM
PHF	0.98		0.96

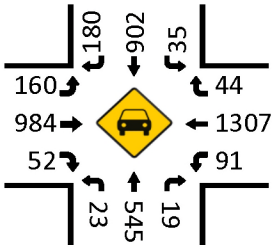
WESTBOUND (Sunset Blvd)

PM	NOON	AM	
86	0	44	0
1205	0	1307	2
52	0	91	1
0	0	0	0
1417	0	1038	
PM	NOON	AM	

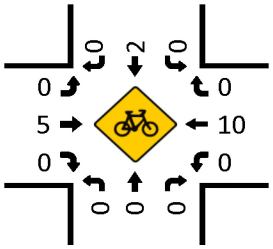
NORTHBOUND (Cahuenga Blvd)

PM	683	0	27	495	29	PM
NOON	0	0	0	0	0	NOON
AM	1045	0	23	545	19	AM
		0	1	2	0	

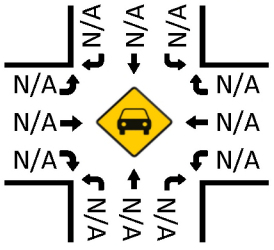
Total Vehicles (AM)



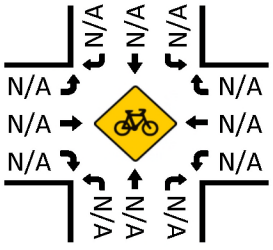
Bikes (AM)



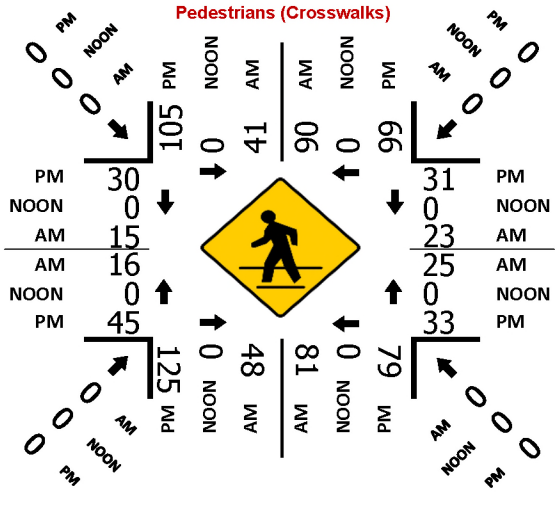
Total Vehicles (Noon)



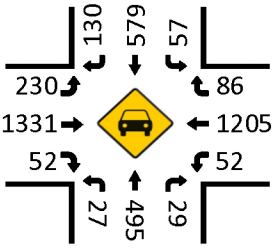
Bikes (NOON)



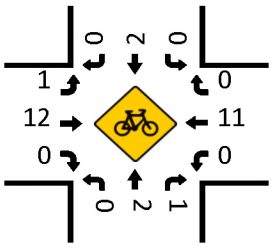
Pedestrians (Crosswalks)



Total Vehicles (PM)



Bikes (PM)



Prepared by National Data & Surveying Services

Ivar Ave & Selma Ave

Peak Hour Turning Movement Count

ID: 18-05272-042
City: Hollywood

Day: Tuesday
Date: 05/15/2018

PEAK HOURS

AM	08:00 AM - 09:00 AM
NOON	NONE
PM	05:30 PM - 06:30 PM

COUNT PERIODS

AM	07:00 AM - 10:00 AM
NOON	NONE
PM	04:00 PM - 07:00 PM

Ivar Ave — SOUTHBOUND

AM	15	247	13	0	120 AM
NOON	0	0	0	0	0 NOON
PM	32	123	17	0	293 PM

Selma Ave — EASTBOUND

AM	NOON	PM		
117	0	208		
0	0	0	0	
2	0	15	0	
63	0	150	1	
21	0	55	0	
AM	NOON	PM		

CONTROL

Signalized

	AM	NOON	PM
TEV	630	0	980
PHF	0.89		0.96

WESTBOUND — Selma Ave

PM	NOON	AM	
36	0	30	0
132	0	79	1
50	0	44	0
1	0	0	0
248	0	81	
PM	NOON	AM	

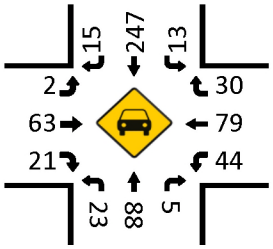
Ivar Ave — NORTHBOUND

PM	231	3	44	242	80 PM
NOON	0	0	0	0	0 NOON
AM	312	0	23	88	5 AM

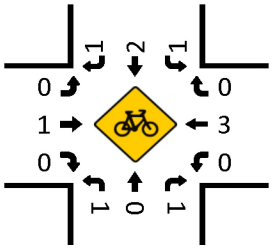
0 0 1 0

0 1 0 0

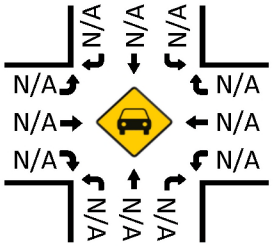
Total Vehicles (AM)



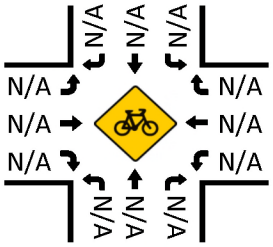
Bikes (AM)



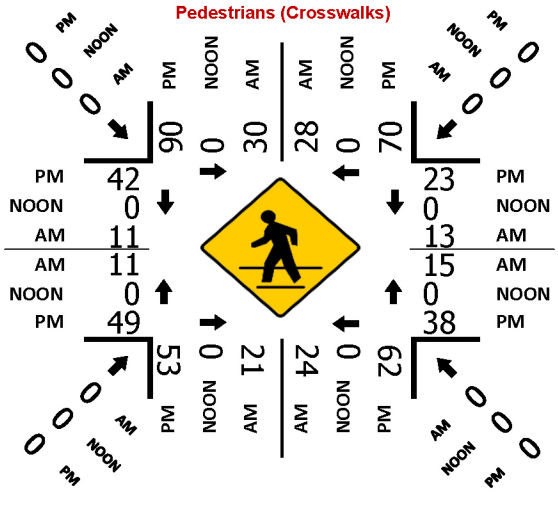
Total Vehicles (Noon)



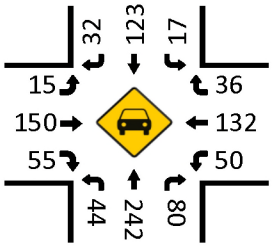
Bikes (NOON)



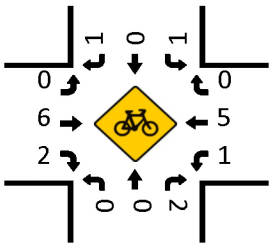
Pedestrians (Crosswalks)



Total Vehicles (PM)



Bikes (PM)



Prepared by National Data & Surveying Services

Ivar Ave & Sunset Blvd

Peak Hour Turning Movement Count

ID: 18-05272-049
City: Hollywood

Day: Wednesday
Date: 05/16/2018

PEAK HOURS

AM	07:45 AM - 08:45 AM
NOON	NONE
PM	06:00 PM - 07:00 PM

COUNT PERIODS

AM	07:00 AM - 10:00 AM
NOON	NONE
PM	04:00 PM - 07:00 PM

Ivar Ave — SOUTHBOUND

AM	166	98	30	0	191	AM
NOON	0	0	0	0	0	NOON
PM	94	127	40	0	318	PM

Sunset Blvd — EASTBOUND

AM	NOON	PM		
1635	0	1324	⇦	
0	0	0	↶	0
20	0	56	↱	1
918	0	1294	→	2
31	0	27	↳	0

CONTROL

Signalized

TEV	2958 AM	0 NOON	3283 PM
PHF	0.96		0.94

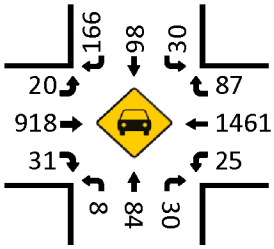
WESTBOUND — Sunset Blvd

PM	NOON	AM		
53	0	87	↰	0
1199	0	1461	←	2
55	0	25	↰	1
0	0	0	↰	0
1432	0	978	⇨	

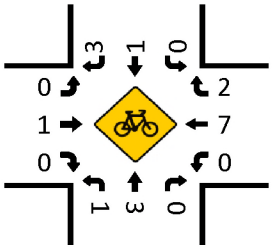
Ivar Ave — NORTHBOUND

PM	209	0	31	209	98	PM
NOON	0	0	0	0	0	NOON
AM	154	0	8	84	30	AM

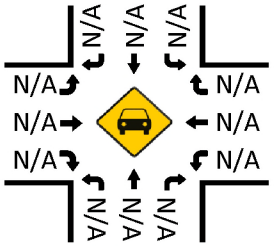
Total Vehicles (AM)



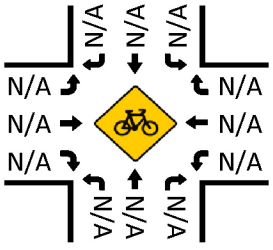
Bikes (AM)



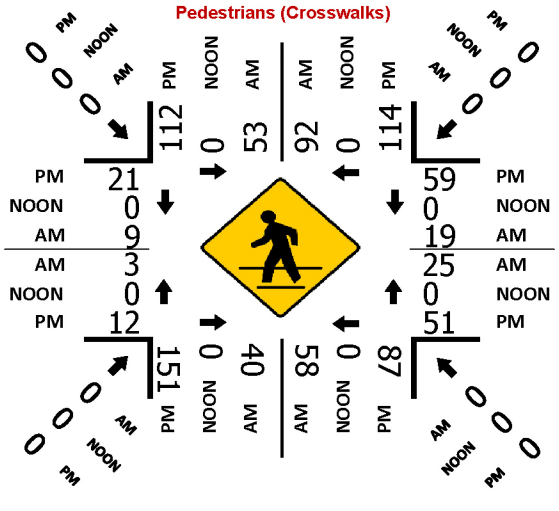
Total Vehicles (Noon)



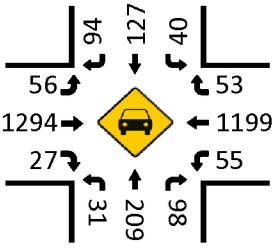
Bikes (NOON)



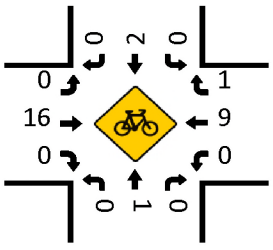
Pedestrians (Crosswalks)



Total Vehicles (PM)



Bikes (PM)



ATTACHMENT C

CMA WORKSHEETS
WITH VALET SERVICE

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	WILCOX AV	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/27/2020
1	East-West Street:	SELMA AV	Projection Year:	2021	Peak Hour:	Late PM	Reviewed by:		Project:	Dream Hotel Valet

No. of Phases			2			2			2			2			2			2	
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0			0			0			0	
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	
	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	
ATSAC-1 or ATSAC+ATCS-2?			2			2			2			2			2			2	
Override Capacity			0			0			0			0			0			0	

	MOVEMENT	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
		Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	28	1	28	0	28	28	0	28	1	28	0	28	1	28	0	28	1	28
	Left-Through		0							0				0				0	
	Through	256	0	297	0	256	336	101	360	0	410	0	360	0	449	0	360	0	449
	Through-Right		1							1				1				1	
	Right	41	0	0	39	80	0	9	50	0	0	39	89	0	0	0	89	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	118	1	118	19	137	137	9	128	1	128	19	147	1	147	0	147	1	147
	Left-Through		0							0				0				0	
	Through	293	0	382	0	293	382	42	338	0	468	0	338	0	468	0	338	0	468
	Through-Right		1							1				1				1	
	Right	89	0	0	0	89	0	40	130	0	0	0	130	0	0	0	130	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	37	0	37	0	37	37	38	75	0	75	0	75	0	75	0	75	0	75
	Left-Through		1							1				1				1	
	Through	223	0	260	27	250	287	77	302	0	377	27	329	0	404	0	329	0	404
	Through-Right		0							0				0				0	
	Right	67	1	53	0	67	53	0	68	1	54	0	68	1	54	0	68	1	54
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	48	0	48	86	134	134	4	52	0	52	86	138	0	138	0	138	0	138
	Left-Through		1							1				1				1	
	Through	154	0	202	36	190	324	41	197	0	249	36	233	0	371	0	233	0	371
	Through-Right		0							0				0				0	
	Right	101	1	42	13	114	46	4	106	1	42	13	119	1	46	0	119	1	46
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES			North-South:	415		North-South:	473		North-South:		538		North-South:		596		North-South:		596
			East-West:	308		East-West:	421		East-West:		429		East-West:		542		East-West:		542
			SUM:	723		SUM:	894		SUM:		967		SUM:		1138		SUM:		1138
VOLUME/CAPACITY (V/C) RATIO:				0.482			0.596				0.645				0.759				0.759
V/C LESS ATSAC/ATCS ADJUSTMENT:				0.382			0.496				0.545				0.659				0.659
LEVEL OF SERVICE (LOS):				A			A				A				B				B

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.114	Δ*v/c* after mitigation:	0.114
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	WILCOX AV	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	6/1/2018
1	East-West Street:	SELMA AV	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	Dream Hotel Valet

		EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
	No. of Phases			2			2			2				2				2	
	Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0				0				0	
	Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB--		0	NB-- 0 SB--		0	NB-- 0 SB--		0		NB-- 0 SB--		0		NB-- 0 SB--		0	
		EB-- 0 WB--		0	EB-- 0 WB--		0	EB-- 0 WB--		0		EB-- 0 WB--		0		EB-- 0 WB--		0	
	ATSAC-1 or ATSAC+ATCS-2?			2			2			2				2				2	
	Override Capacity			0			0			0				0				0	
NORTHBOUND	Left	42	1	42	0	42	42	0	42	1	42	0	42	1	42	0	42	1	42
	Left-Through		0							0				0				0	
	Through	478	0	524	0	478	554	101	584	0	639	0	584	0	669	0	584	0	669
	Through-Right		1							1				1				1	
	Right	46	0	0	30	76	0	9	55	0	0	30	85	0	0	0	85	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	42	1	42	15	57	57	9	51	1	51	15	66	1	66	0	66	1	66
	Left-Through		0							0				0				0	
	Through	285	0	374	0	285	374	42	330	0	460	0	330	0	460	0	330	0	460
	Through-Right		1							1				1				1	
	Right	89	0	0	0	89	0	40	130	0	0	0	130	0	0	0	130	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	67	0	67	0	67	67	38	106	0	106	0	106	0	106	0	106	0	106
	Left-Through		1							1				1				1	
	Through	158	0	225	25	183	250	77	237	0	343	25	262	0	368	0	262	0	368
	Through-Right		0							0				0				0	
	Right	74	1	53	0	74	53	0	75	1	54	0	75	1	54	0	75	1	54
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	18	0	18	72	90	90	4	22	0	22	72	94	0	94	0	94	0	94
	Left-Through		1							1				1				1	
	Through	65	0	83	28	93	183	41	107	0	129	28	135	0	229	0	135	0	229
	Through-Right		0							0				0				0	
	Right	76	1	55	12	88	60	4	81	1	56	12	93	1	60	0	93	1	60
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
	CRITICAL VOLUMES	North-South:		566	North-South:		611	North-South:			690	North-South:			735	North-South:			735
		East-West:		243	East-West:		340	East-West:			365	East-West:			462	East-West:			462
		SUM:		809	SUM:		951	SUM:			1055	SUM:			1197	SUM:			1197
	VOLUME/CAPACITY (V/C) RATIO:			0.539			0.634				0.703				0.798				0.798
	V/C LESS ATSAC/ATCS ADJUSTMENT:			0.439			0.534				0.603				0.698				0.698
	LEVEL OF SERVICE (LOS):			A			A				B				B				B

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project: 0.095 — Δ*v/c* after mitigation: 0.095

Significant impacted? NO — Fully mitigated? N/A

Level of Service Workheet
(Circular 212 Method)

I/S #:	North-South Street:	WILCOX AV	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	If	Date:	8/27/2020
2	East-West Street:	SUNSET BL	Projection Year:	2021	Peak Hour:	LATE PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

No. of Phases			2			2			2			2			2				2
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0			0			0				0
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB--	0
	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB--	0
ATSAC-1 or ATSAC+ATCS-2?			2			2			2			2			2				2
Override Capacity			0			0			0			0			0				0

MOVEMENT	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND																		
Left	21	1	**21**	0	21	**21**	0	21	1	**21**	0	21	1	**21**	0	21	1	**21**
Left-Through		0							0				0				0	
Through	141	0	167	5	146	172	42	184	0	322	5	189	0	327	0	189	0	327
Through-Right		1							1				1				1	
Right	26	0	0	0	26	0	0	26	0	0	0	26	0	0	0	26	0	0
Left-Through-Right		0							0				0				0	
Left-Right		0							0				0				0	
SOUTHBOUND																		
Left	55	1	55	6	61	61	9	65	1	74	6	71	1	80	0	71	1	80
Left-Through		0							0				0				0	
Through	183	0	**311**	3	186	**314**	36	221	0	**386**	3	224	0	**389**	0	224	0	**389**
Through-Right		1							1				1				1	
Right	128	0	0	0	128	0	0	129	0	0	0	129	0	0	0	129	0	0
Left-Through-Right		0							0				0				0	
Left-Right		0							0				0				0	
EASTBOUND																		
Left	92	1	**92**	0	92	**92**	0	93	1	**93**	0	93	1	**93**	0	93	1	**93**
Left-Through		0							0				0				0	
Through	1376	2	475	0	1376	475	45	1435	2	526	0	1435	2	526	0	1435	2	526
Through-Right		1							1				1				1	
Right	49	0	49	0	49	49	19	68	0	76	0	68	0	76	0	68	0	76
Left-Through-Right		0							0				0				0	
Left-Right		0							0				0				0	
WESTBOUND																		
Left	19	1	19	0	19	19	0	19	1	19	0	19	1	19	0	19	1	19
Left-Through		0							0				0				0	
Through	1267	2	**440**	0	1267	**452**	112	1392	2	**530**	0	1392	2	**541**	0	1392	2	**541**
Through-Right		1							1				1				1	
Right	54	0	54	34	88	88	14	69	0	82	34	103	0	116	0	103	0	116
Left-Through-Right		0							0				0				0	
Left-Right		0							0				0				0	
CRITICAL VOLUMES	*North-South:*		332	*North-South:*		335	*North-South:*			407	*North-South:*			410	*North-South:*			410
	East-West:		532	*East-West:*		544	*East-West:*			623	*East-West:*			634	*East-West:*			634
	SUM:		864	*SUM:*		879	*SUM:*			1030	*SUM:*			1044	*SUM:*			1044
VOLUME/CAPACITY *(V/C)* RATIO:			0.576			0.586				0.687				0.696				0.696
V/C LESS ATSAC/ATCS ADJUSTMENT:			0.476			0.486				0.587				0.596				0.596
LEVEL OF SERVICE (LOS):			A			A				A				A				A

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.009	Δ*v/c* after mitigation:	0.009
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	WILCOX AV	Year of Count:	2020	Ambient Growth (%):	1	Conducted by:	If	Date:	8/27/2020
2	East-West Street:	SUNSET BL	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

		EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
	No. of Phases		2			2			2				2				2		
	Opposed Ø'ing: N/S-1, E/W-2 or Both-3?		0			0			0				0				0		
	Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB--	0		NB-- 0 SB--	0		NB-- 0 SB--	0			NB-- 0 SB--	0			NB-- 0 SB--	0		
		EB-- 0 WB--	0		EB-- 0 WB--	0		EB-- 0 WB--	0			EB-- 0 WB--	0			EB-- 0 WB--	0		
	ATSAC-1 or ATSAC+ATCS-2?		1			1			1				1				1		
	Override Capacity		0			0			0				0				0		
NORTHBOUND	Left	37	1	37	0	37	37	0	37	1	37	0	37	1	37	0	37	1	37
	Left-Through		0							0				0				0	
	Through	302	0	356	4	306	360	42	347	0	402	4	351	0	406	0	351	0	406
	Through-Right		1							1				1				1	
	Right	54	0	0	0	54	0	0	55	0	0	0	55	0	0	0	55	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	33	1	33	59	92	92	9	42	1	42	59	101	1	101	0	101	1	101
	Left-Through		0							0				0				0	
	Through	274	0	340	3	277	343	36	313	0	380	3	316	0	383	0	316	0	383
	Through-Right		1							1				1				1	
	Right	66	0	0	0	66	0	0	67	0	0	0	67	0	0	0	67	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	99	1	99	0	99	99	0	100	1	100	0	100	1	100	0	100	1	100
	Left-Through		0							0				0				0	
	Through	1527	2	515	0	1527	515	45	1587	2	542	0	1587	2	542	0	1587	2	542
	Through-Right		1							1				1				1	
	Right	19	0	19	0	19	19	19	38	0	38	0	38	0	38	0	38	0	38
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	49	1	49	0	49	49	0	49	1	49	0	49	1	49	0	49	1	49
	Left-Through		0							0				0				0	
	Through	1265	2	451	0	1265	459	112	1390	2	497	0	1390	2	506	0	1390	2	506
	Through-Right		1							1				1				1	
	Right	87	0	87	26	113	113	14	102	0	102	26	128	0	128	0	128	0	128
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
	CRITICAL VOLUMES	North-South:		389	North-South:		452	North-South:			444	North-South:			507	North-South:			507
		East-West:		564	East-West:		564	East-West:			597	East-West:			606	East-West:			606
		SUM:		953	SUM:		1016	SUM:			1041	SUM:			1113	SUM:			1113
	VOLUME/CAPACITY (V/C) RATIO:			0.635			0.677				0.694				0.742				0.742
	V/C LESS ATSAC/ATCS ADJUSTMENT:			0.565			0.607				0.624				0.672				0.672
	LEVEL OF SERVICE (LOS):			A			B				B				B				B

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.048	Δ*v/c* after mitigation:	0.048
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Workheet
(Circular 212 Method)

I/S #:	North-South Street:	CAHUENGA BL	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
3	East-West Street:	SELMA AV	Projection Year:	2021	Peak Hour:	LATE PM	Reviewed by:		Project:	DREAM HOTEL W/ VALET

No. of Phases			2			2			2			2			2				2
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0			0			0				0
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB-- 0	NB--	0	SB--	0
	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB-- 0	EB--	0	WB--	0
ATSAC-1 or ATSAC+ATCS-2?			2			2			2			2			2				2
Override Capacity			0			0			0			0			0				0

	MOVEMENT	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
		Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	34	0	**34**	34	68	68	0	34	0	34	34	68	0	68	0	68	0	68
	Left-Through		1							1				1				1	
	Through	580	0	367	0	580	**469**	200	786	0	**504**	0	786	0	**572**	0	786	0	**572**
	Through-Right		1							1				1				1	
	Right	85	0	367	0	85	469	0	86	0	504	0	86	0	572	0	86	0	572
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	58	0	58	0	58	**58**	0	59	0	**59**	0	59	0	**59**	0	59	0	**59**
	Left-Through		1							1				1				1	
	Through	501	0	**412**	0	501	441	72	578	0	480	0	578	0	509	0	578	0	509
	Through-Right		1							1				1				1	
	Right	91	0	412	57	148	441	54	146	0	480	57	203	0	509	0	203	0	509
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	130	0	**130**	51	181	**181**	49	180	0	**180**	51	231	0	**231**	0	231	0	**231**
	Left-Through		0							0				0				0	
	Through	149	0	330	26	175	407	17	167	0	414	26	193	0	491	0	193	0	491
	Through-Right		0							0				0				0	
	Right	51	0	0	0	51	0	15	67	0	0	0	67	0	0	0	67	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
WESTBOUND	Left	37	0	37	0	37	37	0	37	0	37	0	37	0	37	0	37	0	37
	Left-Through		0							0				0				0	
	Through	156	0	**267**	22	178	**289**	27	185	0	**297**	22	207	0	**319**	0	207	0	**319**
	Through-Right		0							0				0				0	
	Right	74	0	0	0	74	0	0	75	0	0	0	75	0	0	0	75	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES		*North-South:*		446	*North-South:*		527	*North-South:*			563	*North-South:*			631	*North-South:*			631
		East-West:		397	*East-West:*		470	*East-West:*			477	*East-West:*			550	*East-West:*			550
		SUM:		843	*SUM:*		997	*SUM:*			1040	*SUM:*			1181	*SUM:*			1181
VOLUME/CAPACITY *(V/C)* RATIO:				0.562			0.665				0.693				0.787				0.787
V/C LESS ATSAC/ATCS ADJUSTMENT:				0.462			0.565				0.593				0.687				0.687
LEVEL OF SERVICE (LOS):				A			A				A				B				B

REMARKS: CURRENT BASELINE

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.094	*Δv/c* after mitigation:	0.094
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	CAHUENGA BL	Year of Count:	2020	Ambient Growth (%):	1	Conducted by:	LF	Date:	8/28/2020
3	East-West Street:	SELMA AV	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	DREAM HOTEL W/ VALET

	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
No. of Phases			2			2				2				2				2
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0				0				0				0
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB--		0	NB-- 0 SB--		0	NB-- 0 SB--			0	NB-- 0 SB--			0	NB-- 0 SB--			0
	EB-- 0 WB--		0	EB-- 0 WB--		0	EB-- 0 WB--			0	EB-- 0 WB--			0	EB-- 0 WB--			0
ATSAC-1 or ATSAC+ATCS-2?			2			2				2				2				2
Override Capacity			0			0				0				0				0

MOVEMENT		Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	9	0	9	0	9	9	0	9	0	9	0	9	0	9	0	9	0	9
	Left-Through		1							1				1				1	
	Through	911	0	**506**	0	911	**506**	200	1120	0	**611**	0	1120	0	**611**	0	1120	0	**611**
	Through-Right		1							1				1				1	
	Right	65	0	506	0	65	506	0	66	0	611	0	66	0	611	0	66	0	611
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	13	0	**13**	0	13	**13**	0	13	0	**13**	0	13	0	**13**	0	13	0	**13**
	Left-Through		1							1				1				1	
	Through	674	0	397	0	674	407	72	753	0	477	0	753	0	487	0	753	0	487
	Through-Right		1							1				1				1	
	Right	67	0	397	20	87	407	54	122	0	477	20	142	0	487	0	142	0	487
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	74	0	**74**	21	95	**95**	49	124	0	**124**	21	145	0	**145**	0	145	0	**145**
	Left-Through		0							0				0				0	
	Through	143	0	259	25	168	305	17	161	0	342	25	186	0	388	0	186	0	388
	Through-Right		0							0				0				0	
	Right	42	0	0	0	42	0	15	57	0	0	0	57	0	0	0	57	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
WESTBOUND	Left	41	0	41	0	41	41	0	41	0	41	0	41	0	41	0	41	0	41
	Left-Through		0							0				0				0	
	Through	124	0	**243**	46	170	**289**	27	152	0	**272**	46	198	0	**318**	0	198	0	**318**
	Through-Right		0							0				0				0	
	Right	78	0	0	0	78	0	0	79	0	0	0	79	0	0	0	79	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES		*North-South:*		519	*North-South:*		519	*North-South:*			624	*North-South:*			624	*North-South:*			624
		East-West:		317	*East-West:*		384	*East-West:*			396	*East-West:*			463	*East-West:*			463
		SUM:		836	*SUM:*		903	*SUM:*			1020	*SUM:*			1087	*SUM:*			1087
VOLUME/CAPACITY *(V/C)* RATIO:				0.557			0.602				0.680				0.725				0.725
V/C LESS ATSAC/ATCS ADJUSTMENT:				0.457			0.502				0.580				0.625				0.625
LEVEL OF SERVICE (LOS):				A			A				A				B				B

REMARKS: CURRENT BASELINE

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.045	*Δv/c* after mitigation:	0.045
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	CAHUENGA BOULEVARD	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
4	East-West Street:	SUNSET BOULEVARD	Projection Year:	2021	Peak Hour:	Late PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
No. of Phases			4			4			4				4			4		
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0				0			0		
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0	SB--	0	NB-- 0	SB--	0	NB-- 0	SB--	0		NB-- 0	SB--	0		NB-- 0	SB--	0	
	EB-- 0	WB--	0	EB-- 0	WB--	0	EB-- 0	WB--	0		EB-- 0	WB--	0		EB-- 0	WB--	0	
ATSAC-1 or ATSAC+ATCS-2?			1			1			1				1				1	
Override Capacity			0			0			0				0				0	

MOVEMENT		Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	33	1	**33**	0	33	**33**	45	78	1	**78**	0	78	1	**78**	0	78	1	**78**
	Left-Through		0							0				0				0	
	Through	367	1	202	15	382	210	116	487	1	274	15	502	1	281	0	502	1	281
	Through-Right		1							1				1				1	
	Right	37	0	37	0	37	37	23	60	0	60	0	60	0	60	0	60	0	60
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	78	1	78	0	78	78	12	91	1	91	0	91	1	91	0	91	1	91
	Left-Through		0							0				0				0	
	Through	453	1	**304**	0	453	**304**	49	507	1	**332**	0	507	1	**332**	0	507	1	**332**
	Through-Right		1							1				1				1	
	Right	154	0	154	0	154	154	0	156	0	156	0	156	0	156	0	156	0	156
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	167	1	**167**	29	196	**196**	0	169	1	**169**	29	198	1	**198**	0	198	1	**198**
	Left-Through		0							0				0				0	
	Through	1306	2	442	30	1336	455	76	1395	2	484	30	1425	2	498	0	1425	2	498
	Through-Right		1							1				1				1	
	Right	19	0	19	10	29	29	39	58	0	58	10	68	0	68	0	68	0	68
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	18	1	18	0	18	18	18	36	1	36	0	36	1	36	0	36	1	36
	Left-Through		0							0				0				0	
	Through	1173	2	**419**	0	1173	**426**	92	1277	2	**464**	0	1277	2	**470**	0	1277	2	**470**
	Through-Right		1							1				1				1	
	Right	85	0	85	19	104	104	28	114	0	114	19	133	0	133	0	133	0	133
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES		*North-South:*	337		*North-South:*	337		*North-South:*	410			*North-South:*	410			*North-South:*	410		
		East-West:	586		*East-West:*	622		*East-West:*	633			*East-West:*	668			*East-West:*	668		
		SUM:	923		*SUM:*	959		*SUM:*	1043			*SUM:*	1078			*SUM:*	1078		
VOLUME/CAPACITY *(V/C)* RATIO:			0.671			0.697			0.759				0.784				0.784		
V/C LESS ATSAC/ATCS ADJUSTMENT:			0.601			0.627			0.689				0.714				0.714		
LEVEL OF SERVICE (LOS):			B			B			B				C				C		

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.025	Δ*v/c* after mitigation:	0.025
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	CAHUENGA BOULEVARD	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
4	East-West Street:	SUNSET BOULEVARD	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
No. of Phases			4			4			4				4			4			4
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0				0			0			0
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0	SB--	0	NB-- 0	SB--	0	NB-- 0	SB--	0		NB-- 0	SB--	0		NB-- 0	SB--	0	
	EB-- 0	WB--	0	EB-- 0	WB--	0	EB-- 0	WB--	0		EB-- 0	WB--	0		EB-- 0	WB--	0	
ATSAC-1 or ATSAC+ATCS-2?			1			1			1				1					1
Override Capacity			0			0			0				0					0

	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	28	1	**28**	11	39	**39**	45	73	1	**73**	11	84	1	**84**	0	84	1	**84**
	Left-Through		0							0				0				0	
	Through	505	1	268	0	505	268	116	626	1	340	0	626	1	340	0	626	1	340
	Through-Right		1							1				1				1	
	Right	30	0	30	0	30	30	23	53	0	53	0	53	0	53	0	53	0	53
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	58	1	58	0	58	58	12	71	1	71	0	71	1	71	0	71	1	71
	Left-Through		0							0				0				0	
	Through	591	1	**362**	0	591	**362**	49	646	1	**390**	0	646	1	**390**	0	646	1	**390**
	Through-Right		1							1				1				1	
	Right	133	0	133	0	133	133	0	134	0	134	0	134	0	134	0	134	0	134
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	235	1	**235**	0	235	**235**	0	237	1	**237**	0	237	1	**237**	0	237	1	**237**
	Left-Through		0							0				0				0	
	Through	1358	2	470	52	1410	491	76	1448	2	514	52	1500	2	531	0	1500	2	531
	Through-Right		1							1				1				1	
	Right	53	0	53	9	62	62	39	93	0	93	0	93	0	93	0	93	0	93
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	53	1	53	0	53	53	18	72	1	72	0	72	1	72	0	72	1	72
	Left-Through		0							0				0				0	
	Through	1229	2	**439**	15	1244	**444**	92	1333	2	**483**	15	1348	2	**488**	0	1348	2	**488**
	Through-Right		1							1				1				1	
	Right	88	0	88	0	88	88	28	117	0	117	0	117	0	117	0	117	0	117
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES		*North-South:*		390	*North-South:*		401	*North-South:*			463	*North-South:*			474	*North-South:*			474
		East-West:		674	*East-West:*		679	*East-West:*			720	*East-West:*			725	*East-West:*			725
		SUM:		1064	*SUM:*		1080	*SUM:*			1183	*SUM:*			1199	*SUM:*			1199
VOLUME/CAPACITY *(V/C)* RATIO:				0.774			0.785				0.860				0.872				0.872
V/C LESS ATSAC/ATCS ADJUSTMENT:				0.704			0.715				0.790				0.802				0.802
LEVEL OF SERVICE (LOS):				C			C				C				D				D

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project: 0.012 — Δ*v/c* after mitigation: 0.012

Significant impacted? NO — Fully mitigated? N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	IVAR AVENUE	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
5	East-West Street:	SELMA AVENUE	Projection Year:	2021	Peak Hour:	Late PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

		EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
	No. of Phases			2			2			2				2				2	
	Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0				0				0	
	Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB-- EB-- 0 WB--		0	NB-- 0 SB-- EB-- 0 WB--		0	NB-- 0 SB-- EB-- 0 WB--		0		NB-- 0 SB-- EB-- 0 WB--		0		NB-- 0 SB-- EB-- 0 WB--		0	
	ATSAC-1 or ATSAC+ATCS-2?			2			2			2				2				2	
	Override Capacity			0			0			0				0				0	
NORTHBOUND	Left	49	0	49	12	61	61	12	61	0	61	12	73	0	73	0	73	0	73
	Left-Through		0							0				0				0	
	Through	250	0	382	0	250	394	61	314	0	479	0	314	0	491	0	314	0	491
	Through-Right		0							0				0				0	
	Right	83	0	0	0	83	0	20	104	0	0	0	104	0	0	0	104	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	18	0	18	0	18	18	4	22	0	22	0	22	0	22	0	22	0	22
	Left-Through		0							0				0				0	
	Through	127	0	178	0	127	178	31	159	0	222	0	159	0	222	0	159	0	222
	Through-Right		0							0				0				0	
	Right	33	0	0	0	33	0	8	41	0	0	0	41	0	0	0	41	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
EASTBOUND	Left	15	0	15	10	25	25	4	19	0	19	10	29	0	29	0	29	0	29
	Left-Through		0							0				0				0	
	Through	155	0	227	0	155	244	38	195	0	286	0	195	0	303	0	195	0	303
	Through-Right		0							0				0				0	
	Right	57	0	0	7	*64*	0	14	72	0	0	7	79	0	0	0	79	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
WESTBOUND	Left	53	0	53	0	53	53	13	67	0	67	0	67	0	67	0	67	0	67
	Left-Through		0							0				0				0	
	Through	136	0	226	10	146	236	33	170	0	283	10	180	0	293	0	180	0	293
	Through-Right		0							0				0				0	
	Right	37	0	0	0	37	0	9	46	0	0	0	46	0	0	0	46	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
	CRITICAL VOLUMES	*North-South:*		400	*North-South:*		412	*North-South:*			501	*North-South:*			513	*North-South:*			513
		East-West:		280	*East-West:*		297	*East-West:*			353	*East-West:*			370	*East-West:*			370
		SUM:		680	*SUM:*		709	*SUM:*			854	*SUM:*			883	*SUM:*			883
	VOLUME/CAPACITY *(V/C)* RATIO:			0.453			0.473				0.569				0.589				0.589
	V/C LESS ATSAC/ATCS ADJUSTMENT:			0.353			0.373				0.469				0.489				0.489
	LEVEL OF SERVICE (LOS):			A			A				A				A				A

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.020	Δ*v/c* after mitigation:	0.020
Significant impacted?	NO	Fully mitigated?	N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	IVAR AVENUE	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
5	East-West Street:	SELMA AVENUE	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

		EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
	No. of Phases		2			2			2				2				2		
	Opposed Ø'ing: N/S-1, E/W-2 or Both-3?		0			0			0				0				0		
	Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB--	0		NB-- 0 SB--	0		NB-- 0 SB--	0			NB-- 0 SB--	0			NB-- 0 SB--	0		
		EB-- 0 WB--	0		EB-- 0 WB--	0		EB-- 0 WB--	0			EB-- 0 WB--	0			EB-- 0 WB--	0		
	ATSAC-1 or ATSAC+ATCS-2?		2			2			2				2				2		
	Override Capacity		0			0			0				0				0		
NORTHBOUND	Left	49	0	49	38	87	87	12	61	0	61	38	99	0	99	0	99	0	99
	Left-Through		0							0				0				0	
	Through	250	0	382	0	250	420	61	313	0	478	0	313	0	516	0	313	0	516
	Through-Right		0							0				0				0	
	Right	83	0	0	0	83	0	20	104	0	0	0	104	0	0	0	104	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	18	0	18	0	18	18	4	22	0	22	0	22	0	22	0	22	0	22
	Left-Through		0							0				0				0	
	Through	127	0	178	0	127	178	31	159	0	222	0	159	0	222	0	159	0	222
	Through-Right		0							0				0				0	
	Right	33	0	0	0	33	0	8	41	0	0	0	41	0	0	0	41	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
EASTBOUND	Left	15	0	15	9	24	24	4	19	0	19	9	28	0	28	0	28	0	28
	Left-Through		0							0				0				0	
	Through	155	0	227	0	155	242	38	194	0	284	0	194	0	299	0	194	0	299
	Through-Right		0							0				0				0	
	Right	57	0	0	6	63	0	14	71	0	0	6	77	0	0	0	77	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
WESTBOUND	Left	53	0	53	0	53	53	13	66	0	66	0	66	0	66	0	66	0	66
	Left-Through		0							0				0				0	
	Through	136	0	226	7	143	233	33	170	0	282	7	177	0	289	0	177	0	289
	Through-Right		0							0				0				0	
	Right	37	0	0	0	37	0	9	46	0	0	0	46	0	0	0	46	0	0
	Left-Through-Right		1							1				1				1	
	Left-Right		0							0				0				0	
	CRITICAL VOLUMES	North-South:		400	North-South:		438	North-South:			500	North-South:			538	North-South:			538
		East-West:		280	East-West:		295	East-West:			350	East-West:			365	East-West:			365
		SUM:		680	SUM:		733	SUM:			850	SUM:			903	SUM:			903
	VOLUME/CAPACITY (V/C) RATIO:			0.453			0.489				0.567				0.602				0.602
	V/C LESS ATSAC/ATCS ADJUSTMENT:			0.353			0.389				0.467				0.502				0.502
	LEVEL OF SERVICE (LOS):			A			A				A				A				A

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project: 0.035 — Δ*v/c* after mitigation: 0.035

Significant impacted? NO — Fully mitigated? N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	IVAR AVENUE	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
6	East-West Street:	SUNSET BOULEVARD	Projection Year:	2021	Peak Hour:	Late PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
No. of Phases			2			2				2				2				2
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0				0				0				0
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0	SB--	0	NB-- 0	SB--	0	NB-- 0	SB--		0	NB-- 0	SB--		0	NB-- 0	SB--		0
	EB-- 0	WB--	0	EB-- 0	WB--	0	EB-- 0	WB--		0	EB-- 0	WB--		0	EB-- 0	WB--		0
ATSAC-1 or ATSAC+ATCS-2?			2			2				2				2				2
Override Capacity			0			0				0				0				0

	MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
NORTHBOUND	Left	31	1	31	0	31	31	8	39	1	39	12	51	1	51	0	51	1	51
	Left-Through		0							0				0				0	
	Through	209	0	307	0	209	307	52	263	0	387	0	263	0	387	0	263	0	387
	Through-Right		1							1				1				1	
	Right	98	0	0	0	98	0	25	124	0	0	0	124	0	0	0	124	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
SOUTHBOUND	Left	40	1	40	0	40	40	10	50	1	50	0	50	1	50	0	50	1	50
	Left-Through		0							0				0				0	
	Through	127	0	221	0	127	221	32	160	0	279	0	160	0	279	0	160	0	279
	Through-Right		1							1				1				1	
	Right	94	0	0	0	94	0	24	119	0	0	0	119	0	0	0	119	0	0
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
EASTBOUND	Left	56	1	56	17	73	73	14	71	1	71	17	88	1	88	0	88	1	88
	Left-Through		0							0				0				0	
	Through	1294	2	440	7	1301	443	324	1631	2	555	7	1638	2	557	0	1638	2	557
	Through-Right		1							1				1				1	
	Right	27	0	27	0	27	27	7	34	0	34	0	34	0	34	0	34	0	34
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
WESTBOUND	Left	55	1	55	0	55	55	14	70	1	70	0	70	1	70	0	70	1	70
	Left-Through		0							0				0				0	
	Through	1199	2	417	19	1218	424	300	1511	2	526	19	1530	2	532	0	1530	2	532
	Through-Right		1							1				1				1	
	Right	53	0	53	0	53	53	13	67	0	67	0	67	0	67	0	67	0	67
	Left-Through-Right		0							0				0				0	
	Left-Right		0							0				0				0	
CRITICAL VOLUMES		North-South:		347	North-South:		347	North-South:			437	North-South:			437	North-South:			437
		East-West:		495	East-West:		498	East-West:			625	East-West:			627	East-West:			627
		SUM:		842	SUM:		845	SUM:			1062	SUM:			1064	SUM:			1064
VOLUME/CAPACITY (V/C) RATIO:				0.561			0.563				0.708				0.709				0.709
V/C LESS ATSAC/ATCS ADJUSTMENT:				0.461			0.463				0.608				0.609				0.609
LEVEL OF SERVICE (LOS):				A			A				B				B				B

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project: 0.001 — Δ*v/c* after mitigation: 0.001

Significant impacted? NO — Fully mitigated? N/A

Level of Service Worksheet
(Circular 212 Method)

I/S #:	North-South Street:	IVAR AVENUE	Year of Count:	2020	Ambient Growth: (%):	1	Conducted by:	LF	Date:	8/28/2020
6	East-West Street:	SUNSET BOULEVARD	Projection Year:	2021	Peak Hour:	PM	Reviewed by:		Project:	DREAM HOTEL W/VALET

	EXISTING CONDITION			EXISTING PLUS PROJECT			FUTURE CONDITION W/O PROJECT				FUTURE CONDITION W/ PROJECT				FUTURE W/ PROJECT W/ MITIGATION			
MOVEMENT	Volume	No. of Lanes	Lane Volume	Project Traffic	Total Volume	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume	Added Volume	Total Volume	No. of Lanes	Lane Volume
No. of Phases			2			2			2				2				2	
Opposed Ø'ing: N/S-1, E/W-2 or Both-3?			0			0			0				0				0	
Right Turns: FREE-1, NRTOR-2 or OLA-3?	NB-- 0 SB--		0	NB-- 0 SB--		0	NB-- 0 SB--		0		NB-- 0 SB--		0		NB-- 0 SB--		0	
	EB-- 0 WB--		0	EB-- 0 WB--		0	EB-- 0 WB--		0		EB-- 0 WB--		0		EB-- 0 WB--		0	
ATSAC-1 or ATSAC+ATCS-2?			2			2			2				2				2	
Override Capacity			0			0			0				0				0	
NORTHBOUND Left	31	1	31	0	31	31	8	39	1	39	38	77	1	77	0	77	1	77
NORTHBOUND Left-Through		0							0				0				0	
NORTHBOUND Through	209	0	307	0	209	307	52	263	0	386	0	263	0	386	0	263	0	386
NORTHBOUND Through-Right		1							1				1				1	
NORTHBOUND Right	98	0	0	0	98	0	25	123	0	0	0	123	0	0	0	123	0	0
NORTHBOUND Left-Through-Right		0							0				0				0	
NORTHBOUND Left-Right		0							0				0				0	
SOUTHBOUND Left	40	1	40	0	40	40	10	50	1	50	0	50	1	50	0	50	1	50
SOUTHBOUND Left-Through		0							0				0				0	
SOUTHBOUND Through	127	0	221	0	127	221	32	160	0	278	0	160	0	278	0	160	0	278
SOUTHBOUND Through-Right		1							1				1				1	
SOUTHBOUND Right	94	0	0	0	94	0	24	118	0	0	0	118	0	0	0	118	0	0
SOUTHBOUND Left-Through-Right		0							0				0				0	
SOUTHBOUND Left-Right		0							0				0				0	
EASTBOUND Left	56	1	56	40	96	96	14	71	1	71	40	111	1	111	0	111	1	111
EASTBOUND Left-Through		0							0				0				0	
EASTBOUND Through	1294	2	440	6	1300	442	324	1630	2	555	6	1636	2	557	0	1636	2	557
EASTBOUND Through-Right		1							1				1				1	
EASTBOUND Right	27	0	27	0	27	27	7	34	0	34	0	34	0	34	0	34	0	34
EASTBOUND Left-Through-Right		0							0				0				0	
EASTBOUND Left-Right		0							0				0				0	
WESTBOUND Left	55	1	55	0	55	55	14	69	1	69	0	69	1	69	0	69	1	69
WESTBOUND Left-Through		0							0				0				0	
WESTBOUND Through	1199	2	417	7	1206	420	300	1511	2	526	7	1518	2	528	0	1518	2	528
WESTBOUND Through-Right		1							1				1				1	
WESTBOUND Right	53	0	53	0	53	53	13	67	0	67	0	67	0	67	0	67	0	67
WESTBOUND Left-Through-Right		0							0				0				0	
WESTBOUND Left-Right		0							0				0				0	
CRITICAL VOLUMES		*North-South:*	347		*North-South:*	347		*North-South:*		436		*North-South:*		436		*North-South:*		436
		East-West:	495		*East-West:*	516		*East-West:*		624		*East-West:*		639		*East-West:*		639
		SUM:	842		*SUM:*	863		*SUM:*		1060		*SUM:*		1075		*SUM:*		1075
VOLUME/CAPACITY *(V/C)* RATIO:			0.561			0.575				0.707				0.717				0.717
V/C LESS ATSAC/ATCS ADJUSTMENT:			0.461			0.475				0.607				0.617				0.617
LEVEL OF SERVICE (LOS):			A			A				B				B				B

REMARKS:

Version: 1i Beta; 8/4/2011

PROJECT IMPACT

Change in *v/c* due to project:	0.010	Δ*v/c* after mitigation:	0.010
Significant impacted?	NO	Fully mitigated?	N/A

ATTACHMENT C

SUPPLEMENTAL TO CITY PLANNING APPLICATION

Dream Hotel
6417 Selma Avenue

Approvals Requested and Project Description

I. Approvals Requested

6417 Selma Holdings, LLC (the "Applicant") is the owner of the property located at 6417 Selma Avenue ("Site"), also known as Assessor Parcel Number ("APN") 5546-007-038, located within the City of Los Angeles ("City"), as shown on **Exhibit A**. The Site includes an existing 10-story hotel with 182 guest rooms and approximately 93,783 square feet. Accessory uses to the hotel, include meeting rooms, restaurant and bar, and retail spaces. The Applicant seeks approvals for the following, which shall constitute the "Project" herein:

1) Modification of the conditions of approval to reflect revised floor areas and parking inventory.

Pursuant to Chapter I, Article 2, of the City of Los Angeles Municipal Code (the "Code" or "LAMC") the Applicant hereby requests the following entitlement to permit the proposed Project:

1) Plan Approval to modify the floor area calculations and parking requirements previously permitted by variance planning case number ZA-2013-3504-ZV (**Exhibit B**), pursuant to LAMC § 12.27.U as follows:
    - Modify total floor area to permit 93,803 square feet in lieu of 79,376 square feet;
    - Modify total commercial floor area to permit a total of 6,031 square feet of floor area in lieu of 4,581 square feet;
    - Modify the total lot size to 16,173 square feet in lieu of 13,923 square feet to reflect the subsequent alley vacation;
    - Modify the total parking to be provided to 79 spaces, after bicycle parking reductions; and
    - Modify the number of parking spaces to be provided off-site to 79 by covenant or lease agreement in lieu of the otherwise permitted 14 automobile parking spaces.

II. Project Description

The Project consists of the modification of the previously granted variance and conditions of approval for case number ZA-2013-3504-ZV by (a) increasing the total Project floor area to 93,803 square feet, with no change to the overall Project's FAR or gross floor area, (b) increasing the total commercial floor area to 6,031 square feet, (c) increasing the total lot size to 16,173 square feet to reflect the alley vacation, (d) increase the Project's on-site parking requirement to 79 spaces, and (e) increase the number of parking spaces to be provided off site to 79 by covenant

or lease agreement in lieu of the otherwise permitted 14 automobile parking spaces. No physical alterations are proposed or requested as part of the Project or this application.

i. Project Site

The Site is located along a rapidly developing commercial corridor in the Hollywood neighborhood of Los Angeles, specifically on Selma Avenue between Wilcox Avenue and Cahuenga Boulevard (see **Exhibit A**). The Site currently has a zoning designation of (T)(Q) C4-2D and a general plan land use designation of Regional Commercial. The Site is currently developed as an existing 93,783 square foot building with a 182 guest room hotel in a 10 story structure, as well as accessory uses to the hotel, including meeting rooms, restaurant, and bar, and retail spaces. The development opened its doors in 2017 as the Dream Hollywood.

ii. Project Floor Area Modifications

Approved on April 4, 2014, Case No. ZA-2013-3504-ZV (**Exhibit B**) ("2014 Zone Variance Approval") granted a variance application to modify the Q Conditions of Ordinance No. 180381 (**Exhibit C**) and Case No. CPC-2007-3931-ZC-HD-CU-ZV-SPR (**Exhibit D**) approved in 2008 ("2008 Zone Change Approval"). This approval permitted a modified project that included a 79,376 square feet of floor area, including 4,581 square feet of commercial space, as well as specified a total of 77 on-site parking spaces and 14 off-site spaces by private lease agreement.

Subsequent to Case No. ZA-2013-3504-ZV, the Applicant was issued supplemental permits by the Department of Building & Safety ("LADBS"), including Permit Nos. 13010-10006-03647 and 13010-10007-03647, issued in December 2016 ("2016 Building Permit Approval") and February 2017 ("2017 Building Permit Approval") respectively, which included scopes of work to "revise roof top restaurant configuration; and additional covered floor area" (Permit 13010-10006-03647, (**Exhibit E**) and to "convert parking areas at levels 1st story and 2nd story levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces" (Permit 03010-10007-03647)(**Exhibit F**)(collectively "Building Permit Approvals"). As a result of these improvements, the total code-defined floor area for the Project was modified. The total Project floor area increased to 93,803 square feet and the total commercial space increased to 6,031 square feet.

Though the overall Project's floor area increased, the FAR for the Site remained unchanged. At the time of approval of the zone variance, the total lot area was 13,923 square feet. At 79,376 square feet of floor area, the Project at the time had a FAR of 5.8:1.

On January 15, 2016, the City Council approved Case No. VAC-E1401249 (**Exhibit G**) ("2016 Street Vacation Approval"), which approved the vacation of the public alley adjacent the Site, which added half the area of the alley to the Site, or approximately 2,250 square feet. Thus, the total lot area increased as a result of the alley vacation to approximately 16,173 square feet.

With a total lot area of 16,173 square feet and a total floor area of 93,803 square feet, the Project maintains a FAR of 5.8:1.

iii. Parking per Zone Variance and Building Permit

The 2014 Zone Variance Approval required a total of 91 parking spaces for the Site, including 77 parking spaces on-site and 14 parking spaces that may be provided off-site by private lease agreement in lieu of a covenant (see condition of approval no. 7 of **Exhibit B**).

The Building Permit Approvals that modified the building's floor area also resulted in a net increase of floor area that must be parked pursuant to LAMC Section 12.21.A.4. As a result of the permitted improvements, four additional parking spaces were required for the Project, thus increasing the total required parking from 91 to 95 auto spaces for all uses.

iv. Bicycle Parking Required

The Applicant is voluntarily complying with LAMC Section 12.21.A.16 as revised by Ordinance 185,480, though the development and bicycle parking had previously complied with the previously adopted bicycle parking ordinance. Pursuant to the newly adopted bicycle parking requirements, parking is required at a ratio of 1 short-term and 1 long-term for every 10 guest rooms, with a minimum of 2 spaces for each. For commercial space including the provided retail and restaurant square footage, parking is required at a ratio of 1 short-term and 1 long-term for every 2,000 square feet of floor area. The Project includes a 182 guest room hotel and approximately 6,031 square feet of commercial space. Thus, the development is required to provide bicycle parking as shown in Table 1 below. The Project proposes to provide more than required bicycle parking, specifically a total of 28 short-term spaces and 36 long-term spaces to utilize the parking reduction provisions in the Code, as discussed in more detail below.

Table 1 – Required and Provided Bicycle Parking

Use	Size	Parking Ratio	Bicycle Parking	
			ST	LT
Existing Hotel	182 Guest Rooms	1 per 10 Rooms	18	18
Existing Commercial	4,581	1 per 2,000 SF, min. 2	2	2
Added Restaurant[1]	648	1 per 2,000 SF; min. 2	2	2
Added Retail[2]	802	1 per 2,000 SF; min. 2	2	2
Total Required			24	24
Total Provided			**28**	**36**

[1] PCIS 13010-10006-03647

[2] PCIS 13010-10007-03647

v. Bicycle Parking Reduction

Per LAMC Section 12.21.A.4, new or existing automobile parking spaces required by the Code for all uses may be replaced by bicycle parking at a ratio of one standard or compact automobile parking space for every four required or non-required bicycle parking spaces provided. Further, nonresidential projects or buildings located within 1,500 feet of a major transit stop may replace up to 30 percent of the required automobile parking spaces with bicycle parking, and residential projects located within 1,500 feet of a major transit stop may replace up to 15 percent of the required automobile parking spaces with bicycle parking. The Project is located within 1,500 feet of the Metro Red Line station at Hollywood/Vine, thus permitting the maximum 30 percent and 15 percent reductions.

Using the replacement ratios above, the Project may replace a maximum 16 vehicle parking spaces as-of-right, which would reduce the total number of parking spaces that are physically required to be provided from 95 to 79 auto parking spaces. The Applicant is proposing to provide a total of 64 bicycle parking spaces (28 short-term and 36 long-term) sufficient to replace 16 auto parking spaces (64/4=16). Thus, the total required automobile parking to be physically provided is 79 spaces.

vi. Parking Off-Site by Lease or Covenant

The 2014 Zone Variance Approval permitted parking off-site by lease agreement in lieu of covenant. Further, Condition 8 of the same case, as clarified pursuant to the Letter of Correction dated May 9, 2014 (**Exhibit H**), required all off-site parking agreements to be in place prior to issuance of the building's certificate of occupancy ("CofO").

LAMC Section 12.21.A.4(g) permits on-site parking requirements to be satisfied on another site (off-site) not more than 750-feet from the Site. The City permits parking to be provided off-site as-of-right with ministerial approval of a parking covenant to the satisfaction of LADBS pursuant to LAMC Section 12.26.E.5.

Pursuant to 2014 Zone Variance Approval, the Project was approved to provide a total of 71 parking spaces on-site, and 14 spaces off-site by lease agreement. As discussed above, the Building Permit Approvals resulted in an increase of 4 auto parking spaces. Thus, a total of 95 parking spaces are required, with 75 parking spaces to be provided on-site and 14 spaces off-site by lease agreement. Of the 95 total parking spaces, 16 spaces are satisfied by the construction of 64 bicycle parking spaces pursuant to LAMC Section 12.21.A.4. Meaning the Project is required to provide a total of 79 auto parking spaces, where 14 are provided off-site by lease agreement.

The requested entitlements would enable the Applicant to meet the parking requirements on an immediate basis by either covenant or lease. The request includes an increase in parking spaces to be provided off site. While the Applicant intends to provide off-site parking by covenant at the parking facilities specified below, these facilities are currently under construction and are unable to be encumbered by a covenant due to LADBS policy that requires a Certificate of

Occupancy be issued prior to approving the parking covenants.[3] Thus, in order to satisfy the Project's immediate parking requirements, the Applicant is requesting to increase the number of parking spaces provided off-site by lease agreement from 14 spaces to required parking, or a total of 79 spaces off-site by lease agreement in lieu of covenant. Upon issuance of the Certificates of Occupancy for the nearby parking facilities, the Applicant has the option of moving 64 of these spaces to the two specified parking facilities, or other qualified parking facility as determined by LADBS.

Table 2 – Parking Provided Off-Site via Lease and/or Covenant

Covenant or Lease	Location	Number of Parking Spaces
N/A	On-Site (6417 Selma Avenue)	1 (ADA)
Covenant	1541 Wilcox Avenue; 6516 Selma Avenue; or other eligible location as determined by LADBS	64 spaces
Lease	1528 Ivar Street	79 spaces; 14 spaces after CofO issued for above facilities
TOTAL		**79 spaces**

vii. 96-Percent Compact Spaces Permitted

Pursuant to LAMC § 12.21.A.5(c) no more than 40-percent of required parking spaces may be designated as compact spaces. However, the 2008 Zone Change Approval (**Exhibit I**) granted a zone variance to permit up to 95-percent of auto parking spaces to be provided as compact in lieu of standard.

Of the 95 overall parking spaces to be provided, 14 standard spaces are provided off-site via lease agreement at the facility at 1528 Ivar Street, representing approximately 17.7-percent of all parking spaces, which exceeds the minimum 4-percent permitted by the 2008 Zone Change Approval. Of the remaining 79 spaces, 16 spaces are satisfied with the construction of 64 bicycle parking spaces pursuant to LAMC 12.21.A.4. Thus, the Project is required to provide a total of 65 parking spaces, all of which may be designated as compact spaces as shown in Table 3 below.

[3] Based on discussion with Minye Pak, Sr. Structural Engineer, LADBS.

Table 3 – Percentage of Compact and Standard Spaces to be Provided

LAMC Percentage	Required	Provided			Total Provided	Revised Percentage
		Bicycle Swap	Covenant	Lease		
Compact (94% Max.)	89 Max.	16	65	-	81	85%
Standard (6% Min.)	6 Min.	-	-	14	14	15%
TOTAL	95	95			95	100%

Project Findings and Additional Questions

III. Plan Approval for Modification of Use Permitted by Variance per LAMC Sec. 12.27.U

Pursuant to LAMC Section 12.27 U, a Plan Approval is required to permit the construction of or enlargement of buildings or structures, and/or extend existing uses permitted by variance. Pursuant LAMC Sec. 12.27.D, the decision of the Zoning Administrator shall be supported, in part, by written findings of fact based upon evidence taken, which are prepared herein.

Zone Variance Findings:

1. ***That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.***

The Site includes fully constructed and operating hotel, commercial, and restaurant uses, which have been open and operating since 2017. As stated above, the 2014 Zone Variance Approval granted a variance application to modify 2008 Zone Change Approval. 2014 Zone Variance Approval permitted a modified project that included a 79,376 square feet of floor area, including 4,581 square feet of commercial space, an increase in hotel rooms from 120 to 182 guest rooms, as well as specified a total of 77 on-site parking spaces and 14 off-site spaces by private lease agreement.

As described in Section II above, the subsequent changes to the project were approved through LADBS in the Building Permit Approvals that resulted in an increase to the overall code-defined floor area to 93,803 square feet, including an increase to the total commercial floor area to 6,031 square feet. This increase in code-defined floor area permitted by LADBS also increased the project's on-site parking requirement to 79 spaces.

Strict application of the provisions of the applicable zoning regulations, in this case the conditions of approval in the 2014 Zone Variance Approval and the 2008 Zone Change Approval, would result in unnecessary hardship that is inconsistent with the general purpose and intent of the regulations. The Assistant Zoning Administrator Jim Tokunaga in the 2014 Zone Variance Approval recognized the hardship created by the conditions in the 2008 Zone Change Approval by stating, the "Q Conditions from the zone change ordinance are overly restricted to a previous project that is no longer proposed and gives little opportunity for a revised project to meet a changed market." The conditions in the 2014 Zone Variance Approval, which modified the conditions in the 2008 Zone Change Approval, continue to be overly restrictive, including Condition No. 7, which identifies a specific square footage of uses and number of parking spaces to be provided on-site. The improvements constructed pursuant to the Building Permit Approvals , as well as the street vacation under Case No. VAC-E1401249, are within the approved maximum FAR as stated in the 2014 Zone Variance Approval and would otherwise be permitted as-of-right under the City's zoning regulations. However, these improvements created additional

square footage and corresponding parking requirements that differ from Condition No. 7 in the 2014 Zone Variance Approval, necessitating this Plan Approval request.

The purpose and intent of the variance conditions is to ensure the granting of the variance does not constitute a grant of special privileges that would be inconsistent with the limitations on other properties in the vicinity and same zone. Modifying the conditions in the 2014 Zone Variance Approval to conform to the existing uses on the Site and parking will not prevent the Project from complying with the purpose or intent of the conditions of approval. However, strict application of the regulations would require the demolition and reconstruction of uses on the first, second, and rooftop levels that have already been approved by the City through the Building Permit Approvals and fully operational since 2017. Strict application would also require demolition and removal of the pedestrian improvements in the vacated alley adjacent to the Project Site. The demolition and re-construction, if even feasible, would cause substantial delay, be incredibly expensive, and severely impact the existing operations of the hotel that are already severely impacted by COVID-19, risking its closure.

Additionally, the LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request.[4] There is no other mechanism within the LAMC that permits modifications to a previously approved zone variance. In addition, City policy prohibits applicants from submitting the same request twice within one year if the first request was denied.[5] Because a Plan Approval is the only mechanism in which changes may be made to a previously approved zone variance, denial of this Plan Approval request would cause the Applicant severe hardship in that the Applicant would be prohibited from re-submitting the request for a period of one year. This would risk the expiration of the existing temporary Certificate of Occupancy ("CofO") as it would be impossible under the LAMC to capture the previously approved changes by any other means. Termination of the existing temporary CofO would result in the cessation of hotel operations, which represents a threat to the effective use and viability of the existing hotel. The City issued a temporary CofO for the hotel, and indicated that a final CofO would be provided pending final approval of this Plan Approval request by the Department of City Planning to capture the changes in the 2016 Street Vacation Approval and approved by LADBS in the Building Permit Approvals. The City also indicated that it would not provide extensions to the temporary CofO until this Plan Approval request is approved.

The Project continues to comply with all other development standards required by the LAMC, 2008 Zone Change, and 2014 Zone Variance, including the height, FAR, bicycle parking, and parking requirements. The vacation of the adjacent alley in the 2016 Street Vacation Approval added an additional 2,250 square feet of lot area to the Site, which permitted the FAR to remain unchanged at 5.8:1. The Project's on-site parking requirement will be satisfied by either covenant or lease. Off-site covenants within 750-feet from the Site per LAMC Section 12.21.A.4(g) are permitted as-of-right with ministerial approval of a parking covenant to the satisfaction of LADBS

[4] LAMC Section 12.27.U.1

[5] ZA-1993-0004-ZAI

pursuant to LAMC Section 12.26.E.5. The request to allow parking off-site by covenant or lease agreement addresses a challenge unique to the Project. The parking facilities that are anticipated to be provided by covenant are currently under construction and City policy does not permit parking covenants be approved until a certificate of occupancy is issued.

Based on the above, strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

2. ***That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.***

The special circumstances for the Site are the modified conditions in the 2014 Zone Variance Approval and 2008 Zone Change Approval, which are overly restrictive and applicable to a Project that no longer exists. Such specific conditions are applicable only to the Site and prohibit the property to make changes and alterations that would otherwise be permitted as-of-right with approval by LADBS.

Specifically, the 2014 Zone Variance Approval specified an exact total square footage of overall floor area, commercial floor area, and the number of auto parking spaces to be provided. However, as described in Section II above, subsequent changes to the Project were approved through LADBS and by the City Council , including the Building Permit Approvals and 2016 Street Vacation Approval that resulted in an increase to the overall code-defined floor area to 93,803 square feet, including an increase to the total commercial floor area to 6,031 square feet without modifying the building's envelope and overall gross floor area. This increase in code-defined floor area permitted by LADBS ministerially also increased the Project's on-site parking requirement to 79 spaces. Despite the increase in code-defined floor area, the vacation of the adjacent alley per the 2016 Street Vacation Approval added an additional 2,250 square feet of lot area to the Site, which permitted the FAR to remain unchanged at 5.8:1. The improvements requested by the Building Permit Approvals would normally be permitted as-of-right on nearby properties, however require special discretionary review for the Project due to the specificity of the conditions of approval in the 2014 Zone Variance Approval and 2008 Zone Change Approval. As determined by Assistant Zoning Administrator Jim Tokunaga in the 2014 Zone Variance Approval, the "Q Conditions from the zone change ordinance are overly restricted to a previous project that is no longer proposed and gives little opportunity for a revised project to meet a changed market." The conditions under the 2014 Zone Variance Approval are overly restrictive by identifying the specific square footage of uses and number of parking spaces to be provided on-site. The conditions created by the 2008 Zone Change Approval are unique to the Site and are not shared by other uses in the same zone and vicinity. As stated, properties in similar zone and within the vicinity are permitted to change their zoning floor area as-of-right and through the building permit process without discretionary review, assuming that such changes are consistent with applicable zoning regulations, such as FAR.

Further, the approval to provide all parking off-site by lease agreement, at the location where the already approved off-site leased parking is permitted, addresses a challenge unique to the Project. The anticipated parking facilities that will provide the required parking by covenant are currently under construction and City policy does not permit parking covenant be approved until a certificate of occupancy is issued.

Thus, the special circumstances applicable to the Site are not applied generally to other properties in the same zone or vicinity.

3. ***That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.***

The Applicant is seeking to utilize the Site in a manner that reflects the intent of the 2014 Zone Variance Approval, which specified an exact total square footage of overall floor area, commercial floor area, and resultant parking to be provided on-site. However, as described in Section II above, subsequent changes to the Project were approved through LADBS and by the City Council, including the 2016 Street Vacation Approval and Building Permit Approvals that resulted in an increase to the overall code-defined floor area to 93,803 square feet, including an increase to the total commercial floor area to 6,031 square feet. These improvements were made without modifying the building's envelope and overall gross floor area and FAR. The City approval of the vacation of the adjacent alley per the 2016 Street Vacation Approval added an additional 2,250 square feet of lot area to the Site, which permitted the FAR to remain unchanged at 5.8:1. However, this increase in code-defined floor area permitted by LADBS also increased the Project's on-site parking requirement to 79 spaces.

Other similarly zoned properties are not typically over-burdened by such specific conditions. Though commonly limited in size, height, and bulk by FAR and height restrictions, the floor areas by use and parking requirements can and typically change over the course of a building's life and often with ministerial approval of building permits. However, the Project uniquely requires discretionary approval to modify the conditions of approval due to their specificity. Further, the Applicant is permitted to satisfy on-site parking requirements at an off-site facility not more than 750-feet from the Site pursuant to LAMC Section 12.21.A.4(g) with ministerial approval of a parking covenant to the satisfaction of LADBS pursuant to LAMC Section 12.26.E.5. However, the parking facilities that will provide the required parking by covenant are currently under construction and City policy does not permit parking covenant be approved until a certificate of occupancy is issued. Thus, the approval requests that parking be provided off-site by covenant or lease agreement, at the location where the already approved off-site leased parking is permitted, addresses a challenge unique to the Project.

Strict application of the regulations would require the demolition and reconstruction of uses on the first, second, and rooftop levels that have already been approved by the City through the Building Permit Approvals and fully operational since 2017. The demolition and re-construction,

if even feasible, would cause substantial delay, be incredibly expensive, and severely impact the existing operations of the hotel that are already severely impacted by COVID-19, risking its closure.

Additionally, the LAMC requires that a Plan Approval be filed to modify a previously approved zone variance request.[6] There is no other mechanism within the LAMC that permits modifications to a previously approved zone variance. In addition, City policy prohibits applicants from submitting the same request twice within one year if the first request was denied.[7] Because a Plan Approval is the only mechanism in which changes may be made to a previously approved zone variance, denial of this Plan Approval request would cause the Applicant severe hardship in that the Applicant would be prohibited from re-submitting the request for a period of one year. This would risk the expiration of the existing CofO as it would be impossible under the LAMC to capture the previously approved changes by any other means. Termination of the existing temporary CofO would result in the cessation of hotel operations, which represents a threat to the effective use and viability of the existing hotel. The City issued a temporary CofO for the hotel, and indicated that a final CofO would be provided pending final approval of this Plan Approval request by the Department of City Planning to capture the changes in the 2016 Street Vacation Approval and approved by LADBS in the Building Permit Approvals. The City also indicated that it would not provide extensions to the temporary CofO until this Plan Approval request is approved.

The request herein does not permit an additional increase in Project FAR, height, or a reduction in parking requirements, but simply reflects the changes to the existing building and uses that were previously permitted by LADBS, to update the conditions of approval in the 2014 Zone Variance Approval to reflect these current conditions, and acknowledge an administrative option for satisfying parking requirements, as permitted by the LAMC, and practical challenges due to City policy for approving parking covenants. Thus, the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.

4. ***That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.***

The granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located because the Project is existing and no physical changes are proposed as part of this request. The approval of the variance does not result in an increase in height or FAR. The request herein simply reflects the changes to the floor area by use that were permitted by LADBS, to update the

[6] LAMC Section 12.27.U.1

[7] ZA-1993-0004-ZAI

conditions of approval in the 2014 Zone Variance Approval to reflect current conditions, acknowledge an administrative option for satisfying parking requirements as permitted by the LAMC and granted to all developments and uses within the City, as well as practical challenges due to City policy for approving parking covenants. The Project continues to adhere to the conditions of the 2014 Zone Variance Approval related to height, FAR, and off-site parking by lease agreement.

5. ***That the granting of the variance will not adversely affect any element of the General Plan.***

The granting of this variance request will not adversely affect any element of the General Plan because the Project is existing and no physical changes are proposed. Nevertheless, the Project is subject to the Hollywood Community Plan ("Community Plan"), but not subject to any specific plan.

The Framework Element of the General Plan includes the following relevant land use objectives:

> ***Objective 3.10.*** *Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

The Community Plan includes the following relevant land use objectives:

> ***Objective 1 :*** *To further the development of Hollywood as a major center of population, employment, retail services, and entertainment, and to perpetuate its image as the international center of the motion picture industry.*
>
> ***Objective 6:*** *To make provision for a circulation system coordinated with land uses and densities and adequate to accommodate traffic.*

The existing hotel and commercial uses are located on an existing and vibrant commercial corridor along Selma Avenue, which includes a number of retail shops and restaurants, as well as other hotel uses existing and in development. The existing Project provides numerous permanent jobs in the hotel and restaurant uses that are available to the neighborhood. The hotel perpetuates Hollywood's image as the international center for the motion picture industry by offering additional in-demand guest rooms for the many visitors who travel to Hollywood. These visitors stay locally and visit local retail shops and restaurants, and tour the many studios in and around the vicinity.

Further, by voluntarily complying with the revised bicycle parking ordinance, the increase in bicycle parking spaces in lieu of required automobile parking will promote a circulation system that encourages bicycles and alternative modes of transportation and reduce vehicle congestion in the area and enhancing the mobility of the surrounding area. Permitting parking to be

provided off-site by utilizing surplus parking will create a pedestrian-friendly environment by negating the need for additional unsightly parking structures at a time when cities are increasingly moving away from code-required parking minimums[8].

The Project does not propose any physical changes to the existing structure. Instead, the request is to reflect current conditions, acknowledge an administrative option for satisfying parking requirements as permitted by the LAMC and granted to all developments and uses within the City, as well as practical challenges due to City policy for approving parking covenants. These changes were undertaken to ensure the Project continues to accommodate a viable use that may provide jobs, lodging, and amenities to residents and guests alike. Thus, the modification of the previously approved variance will not adversely affect any element of the General Plan.

Plan Approval Additional Findings:

6. ***That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.***

The existing development was originally approved by the original Ordinance and later modified by the 2014 Zone Variance Approval. The Project will continue to enhance the built environment in the surrounding neighborhood and will perform a function and provide a service that is essential and beneficial to the community because no physical changes are proposed and the development will continue to serve as a mixed-use hotel and commercial development. Nevertheless, the Site is positioned at the heart of a busy street on Selma Avenue which functions as an access point adjacent to the key attractions and amenities along Hollywood Boulevard to the north. The original project provided much needed hotel room and amenities to the Hollywood community.

Granting of this Plan Approval will enhance the built environment. The revised floor area of the Project maintains the overall gross floor area of the building as the structure has not been expanded, instead the addition of floor area permitted by the Building Permit Approvals is a technicality due to that previously ancillary hotel space and un-parked floor area was converted into additional code-defined commercial floor area use that required parking. Thus, the structure will continue exist harmoniously with the built environment and provide activating ground floor uses and a pedestrian environment.

Permitting parking to be provided off-site will also enhance the pedestrian-friendly environment by negating the need for additional unsightly parking structures at a time when cities are increasingly moving away from code-required parking minimums[9]. Further, the additional

[8] City San Francisco File No. 181028 (approved December 11, 2018); City of Minneapolis 2040 Plan (approved December 12, 2018),

[9] City San Francisco File No. 181028 (approved December 11, 2018); City of Minneapolis 2040 Plan (approved December 12, 2018),

bicycle parking will encourage and support the use of bicycles by guests and visitors, reducing vehicle congestion in the area and enhancing the mobility of the surrounding area. Therefore, the Project will continue to enhance the built environment in the surrounding neighborhood and will perform a function or provide a service that is essential or beneficial to the community, city, or region.

7. The Proposed Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

The existing development was originally approved by the 2008 Zone Change Approval and later modified by the 2014 Zone Variance Approval. No physical or operational changes are requested as part of the Plan Approval request. The Project maintains its existing location, size, height, operations and other significant features as previously approved. The gross building floor area of the structure has not been expanded. Thus, the buildings location, size, height, and operations remain unchanged.

The addition of code-defined floor area per the Building Permit Approvals resulted from the technical conversion of ancillary hotel space and un-parked floor area into additional code-defined commercial floor area, such as hotel amenity and administrative office space, as well as additional restaurant space, which required additional parking. The Applicant would satisfy on-site parking requirements at an off-site facility not more than 750-feet from the Site pursuant to LAMC Section 12.21.A.4(g) with ministerial approval of a parking covenant to the satisfaction of LADBS pursuant to LAMC Section 12.26.E.5. However, because these parking facilities are currently under construction, City policy does not permit the approval of parking covenants until a certificate of occupancy is issued. Thus, all parking will be satisfied off-site by lease agreement until such time as the new parking facilities receive their certificate of occupancy. Upon issuance of the certificates of occupancy, the Applicant with the requested approval would have the option to move 64 of these spaces to the 1541 Wilcox Avenue, 6516 Selma Avenue, or other qualified parking facility as determined by LADBS. The request herein does not grant a reduction in parking requirements, but simply acknowledges an administrative option for satisfying parking requirements as permitted by the LAMC and granted to all developments and uses within the City, as well as addresses practical challenges due to City policy for approving parking covenants.

Thus, the Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

8. The Proposed Project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The granting of this Plan Approval request will not adversely affect any element of the General Plan because the Project is existing and no physical changes are proposed. The Project is subject to the Community Plan, but not subject to any specific plan.

The Framework Element of the General Plan includes the following relevant land use objectives:

> ***Objective 3.10.*** *Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.*

The Community Plan includes the following relevant land use objectives:

> ***Objective 1 :*** *To further the development of Hollywood as a major center of population, employment, retail services, and entertainment, and to perpetuate its image as the international center of the motion picture industry.*
>
> ***Objective 6:*** *To make provision for a circulation system coordinated with land uses and densities and adequate to accommodate traffic.*

The existing hotel and commercial uses are located on an existing and vibrant commercial corridor along Selma Avenue, which includes a number of retail shops and restaurants, as well as other hotel uses existing and in development. The existing Project provides numerous permanent jobs in the hotel and restaurant uses that are available to the neighborhood. The hotel perpetuates Hollywood's image as the international center for the motion picture industry by offering additional in-demand guest rooms for the many visitors who travel to Hollywood. These visitors stay locally and visit local retail shops and restaurants, and tour the many studios in and around the vicinity.

Further, by voluntarily complying with the revised bicycle parking ordinance, the increase in bicycle parking spaces in lieu of required automobile parking will promote a circulation system that encourages bicycles and alternative modes of transportation and reduce vehicle congestion in the area and enhancing the mobility of the surrounding area. Permitting parking to be provided off-site by utilizing surplus parking will create a pedestrian-friendly environment by negating the need for additional unsightly parking structures at a time when cities are increasingly moving away from code-required parking minimums[10].

The Project does not propose any physical changes to the existing structure. Instead, the request is to reflect current conditions, and to acknowledge an administrative option for satisfying parking requirements as permitted by the LAMC and granted to all developments and uses within the City, as well as address practical challenges due to City policy for approving parking covenants. These changes were undertaken to ensure the Project continues to accommodate a viable use that may provide jobs, lodging, and amenities to residents and guests alike. As such,

[10] City San Francisco File No. 181028 (approved December 11, 2018); City of Minneapolis 2040 Plan (approved December 12, 2018),

the Project substantially conforms with the purpose, intent, and provisions of the General Plan and the Community Plan.

IV. Additional Questions Required

Pursuant to the Department of City Planning's form "Deemed-to-be-Approved or Conditional Use, Plan Approval, Zone Variance, Public Benefit Plan Approvals, Director's Determination 12.21.G (Open Space)" ("Form"), the Applicant must respond to the additional questions as provided in the department Form, which are provided herein:

1. ***Question 1: Explain why this application is being filed at this time.***

The conditions from the 2014 Zone Variance Approval, which modifies the 2008 Zone Change Approval are overly restrictive and no longer applicable to current conditions. The 2014 Zone Variance Approval specified an exact total square footage of overall floor area, commercial floor area, and resultant parking to be provided. However, as described in Section II above, subsequent changes to the Project were approved through the LADBS and by the City Council, including the 2016 Street Vacation Approval and Building Permit Approvals that resulted in an increase to the overall code-defined floor area to 93,803 square feet, including an increase to the total commercial floor area to 6,031 square feet without modifying the building's envelope and overall gross floor area. This increase in code-defined floor area permitted by LADBS also increased the Project's on-site parking requirement from 75 to 79 spaces. Notwithstanding this increase in floor area, the City approval of the vacation of the adjacent alley per the 2016 Street Vacation added an additional 2,250 square feet of lot area to the Site, which permitted the FAR to remain unchanged at 5.8:1

At the time the 2014 Zone Variance Approval was initiated, there were no available parking facilities off-site parking by covenant as permitted by LAMC Sections 12.21.A.4(g) and 12.26.E.5. However, recent development of new parking structures on nearby properties permit the Project to satisfy its required parking off-site within 750-feet of the Site with approval of a covenant, utilizing the grant to provide up to 96-percent of required parking as compact spaces in the 2008 Zone Change Approval. The request herein does not grant a reduction in parking requirements, but simply acknowledges an administrative option for satisfying parking requirements as permitted by the LAMC and granted to all developments and uses within the City, as well as practical challenges due to City policy for approving parking covenants.

2. ***Question 5: Describe how the site is presently developed, including details such as square footage of buildings, occupancy loads, stories, number of seats, etc. If the site has been destroyed, provide detail of what was destroyed and what remains.***

See Project Description as described in Section II of this Supplemental to City Planning Application.

EXHIBIT A

Dream Hollywood
6417 W. Selma Avenue
Los Angeles, CA 90028

Exhibit A
Site Aerial

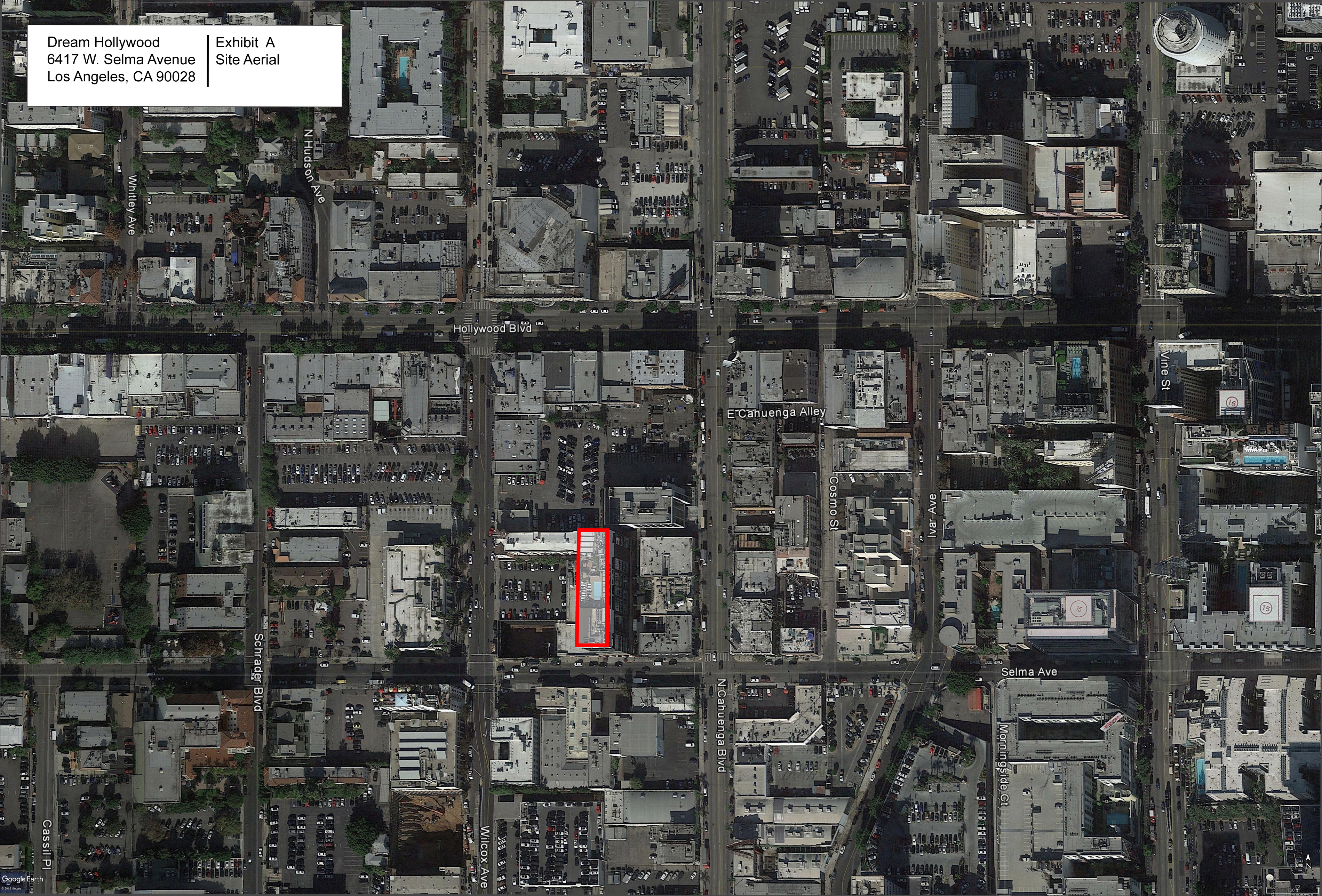


EXHIBIT B

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING
MICHAEL J. LOGRANDE
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ZONING ADMINISTRATION
200 N. SPRING STREET, 7TH FLOOR
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www.planning.lacity.org

April 4, 2014

Richard Heyman (A)(O)
6417 Selma Hotel, LLC
Los Angeles, CA 90028

Michael Gonzales (R)
Gonzales Law Group, APC
555 South Flower Street, Suite 650
Los Angeles, CA 90071

CASE NO. ZA 2013-3504(ZV)
ZONE VARIANCE
6417 Selma Avenue
Hollywood
Zone: (T)(Q)C4-2D
D.M.: 1485a187
C.D.: 13
CEQA: ENV-2007-3932-MND
Legal Description: Lot 11, SACKETT TRACT

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby APPROVE:

a Variance from "Q" Condition No. 1 of Ordinance No. 180,381 to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet;

a Variance from "Q" Condition No. 3 of Ordinance No. 180,381 to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet;

a Variance from "Q" Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR of 5.3:1;

a Variance from "Q" Condition No. 7 of Ordinance No. 180,381 to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;

a Variance from Section 12.26-E,5 to allow off-site parking by lease in lieu of a recorded covenant; and

a Variance from applicable design guidelines for the design of parking facilities per Los Angeles Municipal Code Section 12.21-A,5 and the Los Angeles Department of

Building and Safety's Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

7. Approved herein is the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of no more than 5.8:1 and a height of 125 feet in ten stories. There will be 182 hotel rooms, 77 on-site parking spaces, 14 off-site parking spaces by lease, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating.

8. All off-site parking shall be in place including evidence of completed and signed leases prior to issuance of any building permits or other utilization of Zoning entitlements made herein.

9. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

10. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after April 21, 2014, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at http://cityplanning.lacity.org.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and

the statements made at the public hearing on February 19, 2014, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

BACKGROUND

On September 17, 2008, the Planning Commission approved Case No. CPC 2007-3931-ZC-HD-CUB-ZV-SPR for a Zone and Height District Change; a Conditional Use to permit the on-site sale and consumption of a full line of alcoholic beverages with live entertainment and patron dancing; a Variance to permit food and alcohol consumption on the rooftop lounge; a Variance to permit deviations from Section 12.21-A,5; and a Site Plan Review all in conjunction with a nine-story 120-unit hotel to include a restaurant, banquet facility, and two bars, with rooftop uses. Subsequently on November 23, 2010, under Case No. DIR-2010-2962-CLQ, the request for Clarification of "Q" Conditions A1, A2, A6, and A7 of Ordinance 180,831 were approved. Due to changes in the scope of the subject project, the applicant is requesting a Variance from certain "Q" Conditions of Ordinance 180,831 imposed through Case No. 2007-3931-ZC-HD-CUB-ZV-SPR, as well as a variance for off-site parking by lease in lieu of the required recorded covenant.

The applicant is requesting Zone Variances for relief from "Q" Conditions and to allow off-site parking by lease in lieu of a recorded covenant in conjunction with the construction, use, and maintenance of a ten-story, 182-room hotel with 77 on-site parking spaces and 14 off-site parking spaces in the (T)(Q)C4-2D Zone, within the Hollywood Community Plan area. The proposed project will be comprised of 74,795 square feet of hotel uses and 4,581 square feet for commercial uses. The 4,581 square feet of commercial space is split between two locations: the roof top deck contains 2,674 square feet of covered commercial space, while the ground floor lobby contains 1,907 square feet of floor area. The project site is comprised of four parcels (approximately 13,923 square feet of lot area) within a city block bounded by Selma Avenue to the south, Cahuenga Boulevard to the east, Wilcox Avenue to the west, and Hollywood Boulevard to the North and is currently developed with a two-story parking garage. The property fronts Selma Avenue at its southern border, and lies next to existing developed properties to the north and west. The subject site has access to an alley on its eastern border.

Properties to the north and south are zoned [Q]C4-2D-SN and C4-2D are improved with one- and two-story commercial uses. Properties to the east are zoned [Q]C4-2D-SN and [Q]C4-2D and are improved with one-, two-, and three-story buildings including commercial, retail, and housing uses with surface parking lots. Properties to the west are zoned C4-2D and are improved with one- and two-story commercial uses and surface parking lots.

The Hollywood Community Plan Map designates the property for Regional Center Commercial. The Property is located approximately 500 feet from Hollywood Boulevard, a major transit corridor that is served by the Red Line (Metro Hollywood/Vine Train Station) and several MTA and LADOT bus lines.

Selma Avenue is a designated Local Street dedicated to a variable width of 70 feet at the project's frontage and is improved with curbs, gutters, and sidewalks.

Cahuenga Boulevard is a designated Modified Secondary Highway dedicated to a variable width of 75 feet at the project's frontage and is improved with curbs, gutters, and sidewalks.

The alley is dedicated to a 20-foot width and is fully paved.

Relevant Previous Cases, Affidavits, Permits, and Orders on the Subject Property

Permit No. 13019-10000-03019 – On January 06, 2014, the Department of Building and Safety issued a building permit for the demolition of a two-story parking garage.

Case No. ZA 2012-039-CUB – On June 13, 2012, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a 3,220 square-foot restaurant bar/lounge accommodating 120 seats.

Case No. DIR-2010-2962-CLQ – On November 23, 2010, the Director of Planning approved the requested Clarification of "Q" Conditions A1, A3, A6, and A7 of Ordinance 180381.

Case No. CPC-2007-3931-ZC-HD-CUB-ZV-SPR – On July 24, 2008, the City Planning Commission Approved and Recommended that the City Council adopt a Zone and Height Change from C4-2-D-SN to (T)(Q)C4-2-SN to remove a "D" limitation of 2:1 and allow a FAR of 5.3:1; a Conditional Use to permit the on-site sale and consumption of a full line of alcoholic beverages with live entertainment; approved a variance to permit outdoor dining and alcohol consumption on the eighth floor, and a variance to permit an increase in the number of compact parking spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius.

Previous Relevant Cases, Affidavits, Permits, and Orders on Surrounding Properties

ZA 2004-1700-CUX-ZV – On July 16, 2004, the Zoning Administrator approved the request for a full-line of alcoholic beverages for on-site consumption with a variance to permit off-site parking through a lease agreement in lieu of the required recorded covenant and agreement, located at 1602 North Cahuenga Boulevard.

Public Hearing

A public hearing on the case was held before the Zoning Administrator on February 19, 2014 at Los Angeles City Hall. The hearing was attended by the representative for the hotel and two members from the public. The following points were made by the speakers:

Michael Gonzalez, representative for the applicant:

- The project site was originally entitled with a zone change in 2008 with a different project.
- Previous project is no longer responsive to current needs.
- Current proposal better fits the need in Hollywood for boutique hotels, no demand for previous ballroom space.
- More guest rooms on additional floor but the height remains the same with same building envelope.
- Mezzanine floor is added to square footage.
- Current proposal is for 77 on-site parking spaces and 14 spaces to be leased off-site.
- The R5 Zone does not restrict the number of guest rooms.

David Carrera, area resident:

- Not necessarily opposed to the application.
- Current project does make for a better project.
- Mostly concerned with changes to the project that changes the entitled conditional use grant for the sale of alcoholic beverages.
- The change in project warrants a new conditional use approval.
- Requested changes to the operating conditions granted as part of the original conditional use for selling of alcoholic beverages.
- Findings for the variance cannot be made as there is nothing physically constraining on the site.
- Applicant should file for a new zone change.

Andrew Christopher, represents adjacent office building:

- Opposed to the increase in floor area.
- Off-site parking will add to already bad traffic congestion in the area.
- Applicant should secure off-site parking.

Correspondence

On February 13, 2014, Staff received a letter from David Carreera, Land Use Representative for the Central Hollywood Neighborhood Council - acting independently of the Neighborhood Council, submitted a letter to the file which outlines several

concerns including: rooftop uses, hours of operations, and with regard to the overconcentration of alcohol licenses in the Hollywood area.

On February 5, 2014, Staff received a letter from nearby business owner, Lucinda Cowell, expressing concern with the subject's off-site parking request. Ms. Cowell stated that she and her colleagues currently have a monthly parking lease at the existing parking garage on site.

MANDATED FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   The project site is located on the northern side of Selma Avenue, one block west of Cahuenga Boulevard in the (T)(Q)C4-2D-SN Zone. The subject property is improved with a two-story parking garage which will be demolished as part of the proposed hotel project.

   The proposed project is for a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with an FAR of no more than 5.8:1 and a height of 125 feet. There will be 182 hotel rooms, 77 on-site parking spaces, 14 off-site parking spaces, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating. The revised project retains the same height as previously approved but contains an additional story and increases the square footage and FAR by less than 10% of what was originally approved. The project significantly reduces the proposed amount of commercial space from 17,045 square feet to 4,581 square feet.

   "Q" Conditions

   The strict application of the "Q" Conditions contained in Ordinance 180,381 would not be consistent with the current project. The original "Q" Conditions placed by the zone change ordinance were adopted to implement the previous project. However, the "Q" Conditions unnecessarily restrict the uses on the site by specifying room count, specific sub-use floor areas (i.e. ballroom, courtyard, and bar space), the specific location of such uses, and other items that gives very little opportunity to deviate if a project changes. Such specificity renders the project unable to respond to market needs. These market needs are especially relevant today as the city recovers from the economic recession and the current revitalization of Hollywood are creating different demands. The "Q" Conditions applied to the project are overly restrictive and require the developer to build a

project no longer desired in the current market. The additional number of rooms is permitted by the zone but adding the additional rooms creates additional floor area. The reduction of floor area for commercial use is necessary to build a project that is marketable without leaving empty or unused commercial floor area. The past five years has seen a significant increase in commercial and residential growth in Hollywood and there are many more commercial options for the hotel visitors.

LAMC Section 12.32.G.2(b) defines the purpose of a "Q" Classification as a necessary action in order to (1) protect the best interest of and assure a development with the surrounding properties or neighborhood; (2) secure an appropriate development in harmony with the General Plan; and (3) prevent or mitigate potential adverse environmental effects of the zone change. Modifying the existing "Q" Conditions to conform to the current project will not prevent the project from complying with the purposes of the "Q" Conditions as originally intended by the zone change ordinance. Except for the conditions herein varied, or from the previously approved "Q" Clarification, all other conditions of Ordinance 180,381 are to be complied with.

Parking Variance

Strict adherence to LAMC Section 12.21.A.5, as interpreted by Document P/ZC 2002-001 (the "LADBS Bulletin"), requires on-site parking to be designed in a manner considered safe for cars and pedestrians. However, two sections within the LADBS Bulletin present practical difficulties that cannot feasibly be rectified: Section N, which requires additional width for end stalls, and Section P, which requires a 20-foot driveway radius for two-way traffic in garages with greater than 25 automobiles. Given the property's width at 61.8 feet, the parking garage's second floor is wide enough to be utilized for parking, but too narrow for LADBS Bulletin requirements.

Parking design guidelines such as the LADBS Bulletin are intended to minimize the risk of automotive collisions and the necessary interaction between automobiles and pedestrians. The LADBS Bulletin notes that the minimum space to safely turn a car is higher when more cars are within a garage. This concept identifies the primary safety hazard as the disorganization and uncertainty coming from too many cars within a narrow space. To mitigate these concerns, the project will utilize trained valet parking attendants. Valet attendants will be more experienced at handling the parking structure's layout and are therefore will be more capable of safely parking cars, even in smaller spaces.

As proposed, the hotel will provide 77 on-site parking spaces with many of these through a mechanical lift. With regard to off-site parking, the applicant proposes to procure 14 off-site parking via a lease agreement in lieu of a recorded covenant. Strict adherence to LAMC Section 12.26.E.5 requires a covenant for off-site parking and these covenants are recorded against the properties. Most parking lot and garage owners are no longer willing to burden their properties

with parking covenants that run in perpetuity because it reduces the underlying lands' development potential. Off-site parking is still required but will be provided by a lease agreement instead of a covenant.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

"Q" Conditions

The special circumstances for this location are the "Q" Conditions from the zone change ordinance are overly restricted to a previous project that is no longer proposed and gives very little opportunity for a revised project to meet a changed market. Condition A.1 of Ordinance 180,381 limits the number of hotel rooms to 120 although there is no limitation on the number of rooms typically permitted in the C4-2D Zone. Additionally the total square footage is limited to 73,814 square feet although a higher square footage is permitted as limited by the floor area ratio (FAR) designation. The "Q" Condition is also very definite in requiring very specific uses and size for the kitchen, lounges and bar, ballrooms, lobbies, and courtyard. Such types of limitations do not occur on other surrounding properties.

Parking Variance

The special circumstances that make providing parking in conformance with LAMC Section 12.21.A.5, as interpreted by the LADBS Bulletin Sections N and P (requiring larger end stall width and larger turning radii for garages having more than 25 cars, respectively) is the property's narrow width. The subject site is 61.8 foot width allows for limited freedom of movement whereas other properties have more design flexibility. The project must locate the driveway ramp at a 90 degree angle to the access aisle. The ramp is 40 feet long; if it were shorter, the slope would be considered too steep for safe movement. This leaves a limited, but not an unsafe amount of space for a car's entry into the garage. To ensure safety, the hotel will employ valet parking attendants to further minimize any danger to pedestrians or cars.

Similarly, while the project can accommodate compact spaces throughout the second parking level, the property does not have the width to accommodate the additional space for end stalls as described in LADBS Bulletin Section N. This section requires one of three additional spacing mechanisms for compact end stalls: (1) increased compact stall width, (2) increased access aisle width, or (3) additional space in the access aisle beyond the end stall. The first option is infeasible because extra width is impeded by a structural column. Given the project's slender dimensions, there are limited options for column placement. The second and third options are infeasible because the project will be built to the property's lot lines. Any increase in access aisle length or width would require the entire structure to intrude into adjoining properties.

The applicant proposes to provide off-site parking by lease agreement because providing off-site parking by covenant at other locations in the vicinity of the property is infeasible. Most of the neighboring properties are already built out to their perspective lot lines or have development potential that property owners would not want to encumber with a covenant which runs for perpetuity. Owners of lots developed as surface parking or parking garages are unwilling to provide parking covenants because those lots also hole future development potential. Therefore a lease agreement is the only feasible mechanism for providing off-site parking. The project can provide 77 on-site parking spaces leaving the balance or 14 spaces for off-site.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The applicant is merely seeking to utilize the site in a manner that reflects generally what the original "Q" conditions permit. Other similarly zoned properties in the vicinity are not restricted by "Q" conditions and by an Ordinance with tailored conditions to a development. It is important to note that the overall project is adhering to the "Q" Conditions which were adopted six years ago and as such is in compliance with the corresponding Ordinance. The request resolves more an issue of overly specific condition language rather than an issue which seeks to override any of the existing "Q" Conditions.

The instant grant does not result in a reduction of the required parking spaces, it merely allows them to be provided elsewhere under an administratively different option from a covenant. As conditioned, the grant should result in the provision of required parking and add to the parking options available to patrons. Due to development in the area, other landowners are reluctant to provide parking through a covenant which impairs the ability to develop property in the future. Thus, a variance to provide parking off-site by lease would be the likely scenario for any use of the building. No reduction of the required parking is proposed. Citywide and in the Hollywood area, similarly zoned properties have been granted variances to allow parking to be provided off-site by lease and in this instance the applicant seeks to be on par with such properties and to continue to enjoy a property right which was approved previously by a similar variance grant.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The surrounding properties are primarily zoned C4-2D-SN and are characterized by commercial, retail, and entertainment uses on flat topography. Properties to the north and south are zoned [Q]C4-2D-SN and C4-2D are improved with one- and two-story commercial uses. Properties to the east are zoned [Q]C4-2D-SN

and [Q]C4-2D and are improved with one-, two-, and three-story buildings including commercial, retail, and housing uses with surface parking lots. Properties to the west are zoned C4-2D and are improved with one- and two-story commercial uses and surface parking lots.

The existing "Q" Conditions are very specific to a prior project approved in 2008. There were 41 "Q" Conditions approved when the zone change ordinance was adopted. A majority of these conditions are mitigation measures contained in ENV-2007-3932-MND which are not being varied by this action. The four "Q" Conditions being modified reflect changes in the number of hotel guestrooms, the square footage of the project, the number of stories, and inclusion of bicycle parking. These changes do not create a situation where the approved project is not in compliance with the LAMC or the Hollywood Community Plan.

A comment was made at the public hearing by an area resident who had concerns about the proposed project changes and its effect on the existing conditional use approval to serve a full line of alcoholic beverages. The application before the Zoning Administrator was only for variances from the "Q" Conditions and there were no requests to deviate from the existing conditions of approval pertaining to the alcohol conditional use approval. The applicant is aware that any modification that may be necessary to the prior conditional use approval is not considered as part of this action. Also at the public hearing, a representative of an abutting office building testified that parking in the area is impacted and granting the variance is not appropriate. The applicant in this case is not reducing the required parking but providing some of the parking by lease instead of a covenant. Whether by lease or covenant the end result is that parking is provided. Additionally, there will be 77 parking spaces on-site and required bicycle parking. The site is located in transit rich neighborhood and since the request is for a hotel, it is anticipated that not all of the guests will drive cars to stay at the hotel.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The property is located within the Hollywood Plan, a component of the Land Use Element of the General Plan. The Hollywood Plan Map designates the property for Regional Center commercial land uses. The (T)(Q)C4-2D Zone classification of the property is consistent with that land use designation. The Plan Text does not discuss specifically the issue of variances of "Q" Conditions or parking by

lease in lieu of by covenant as the Plan is more general than the specificity of the instant request. The Plan is predicated upon all projects complying with the land use designation and that there are conditions when necessary by the decision maker when discretionary approval is sought. The Zoning Administrator has determined that the requested variances from the existing "Q" Conditions as well as for permitting some of the required parking by lease agreement and to allow for deviations from the parking facility design guidelines will not adversely affect any element of the General Plan.

The site is located the Hollywood Entertainment District with a high concentration of retail uses, a broad range of restaurant, bars, theatres, dance clubs, and entertainment and live performance venues. The Plan text states that this center area shall function as the commercial center for Hollywood and the surrounding communities and as an entertainment center for the entire region. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties. As conditioned, the use will operate in harmony with the various elements and objectives of the General Plan. Thus, the granting of the request will not adversely affect or conflict with any element of the General Plan.

ADDITIONAL MANDATORY FINDINGS

6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

7. On April 2, 2008, a Mitigated Negative Declaration (ENV-2007-3932-MND) was prepared for the proposed project. On January 16, 2014, the Department of City Planning issued an Addendum (ENV-2007-3932-MND-REC1) to the previously adopted Mitigated Negative Declaration. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.

JIM TOKUNAGA
Associate Zoning Administrator
Direct Telephone No. (213 978-1307

JT:HB:jq

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjacent Property Owners

Page No. 1 of 12
Case No. ZA 2013-3304(ZV)

Dream Hollywood Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

COVER SHEET

G000

13010
131029

6417 SELMA HOTEL LLC
6417 SELMA AVENUE
LOS ANGELES, CALIFORNIA 90028

1633 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
T 310.829.5400
KFALOSANGELES.COM

BIKE PARKING

REQUIRED	SHORT TERM (1 PER 2000 SF)	LONG TERM (1 PER 2000 SF)
COMMERCIAL: 2,699 SF	2	2
182 HOTEL ROOMS	SHORT TERM (1 PER 20 ROOMS)	LONG TERM (1 PER 20 ROOMS)
	9	9
TOTAL REQUIRED	11 SHORT TERM	11 LONG TERM
PROPOSED		
TOTAL PROPOSED	11 SHORT TERM	11 LONG TERM

PARKING

REQUIRED

182 HOTEL ROOMS	1 CAR / UNIT FIRST 30 UNITS	30
	1 CAR / 2 UNITS FOR UNITS 31 TO 60	15
	1 CAR / 3 UNITS FOR UNITS 61 TO 182	41
COMMERCIAL: 2,699 SF	2/1000	5
SUB TOTAL PARKING		92
REPLACEMENT PARKING (30% REDUCTION PER BIKE ORDINANCE)		27.6
TOTAL PARKING REQUIRED		65

PROPOSED

ON SITE PARKING	
STALL SIZE	COUNT
(1) STANDARD	2
(2) COMPACT	38
(3) ACCESSIBLE	3
(4) TANDEM	2
Grand total	45

ARCHITECTURAL SYMBOLS

DETAIL

BUILDING SECTION

WALL SECTION

INTERIOR ELEVATION

EXTERIOR ELEVATION

ELEVATION MARK

WINDOW MARK

DOOR MARK

WALL TYPE

WORK POINT

NOTE

ACCESSIBLE PATH OF TRAVEL

FENCE

EXIT SIGN

ALIGN FINISHES

SMOKE DETECTOR

FIRE EXTINGUISHER

AREA DRAIN

FLOOR DRAIN

FLOOR MATERIAL TRANSITION

SECURITY OPENING

ARCHITECTURAL ABBREVIATIONS

@	AT	FLR	FLOOR	P	PROPERTY LINE
ø	DIAMETER	FMC	FLOOR MATERIAL CHANGE	PIP	PROTECT IN PLACE
		FOC	FACE OF CONCRETE	PLAM	PLASTIC LAMINATE
AB	ANCHOR BOLT	FOF	FACE OF FINISH	PT	PAINT
A/C	AIR CONDITIONING	FOM	FACE OF MASONRY	PTD	PAINTED
ACT	ACOUSTIC CEILING TILE	FOS	FACE OF STUD		
ADA	AMERICANS WITH DISABILITIES ACT	FR	FIRE RESISTIVE	QTY	QUANTITY
		FS	FINISH SURFACE		
ADJ	ADJACENT			R	RADIUS or RISER
AFF	ABOVE FINISH FLOOR	GA	GAGE	RCP	REFLECTED CEILING PLAN
ALT	ALTERNATE	GALV	GALVANIZED	RD	ROOF DRAIN
ALUM	ALUMINUM	GB	GRAB BAR	REF	REFRIGERATOR
APPROX	APPROXIMATELY	GC	GENERAL CONTRACTOR	REQ'D	REQUIRED
ARCH	ARCHITECT	GYP BD	GYPSUM BOARD	REV	REVISION or REVISED
				RM	ROOM
BD	BOARD	HB	HOSE BIBB	ROW	RIGHT OF WAY
BF	BRACE FRAME	HC	HOLLOW CORE	RRM	RESTROOM
BLK	BLOCK	HCW	HOLLOW CORE WOOD		
BM	BEAM	HDR	HEADER	SC	SOLID CORE
BTWN	BETWEEN	HM	HOLLOW METAL	SCW	SOLID CORE WOOD
		HR	HANDRAIL	SF	SQUARE FEET
CAB	CABINET	HT	HEIGHT	SHT	SHEET
℄	CENTER LINE			SHTG	SHEATHING
CL	CLOSET	INS	INSULATION	SIM	SIMILAR
CLG	CEILING	INT	INTERIOR	SL	SLOPE
CLR	CLEAR			ST STL	STAINLESS STEEL
CMU	CONCRETE MASONRY UNIT	JST	JOIST	STL	STEEL
COL	COLUMN			STRUCT	STRUCTURAL
CONC	CONCRETE	LAM	LAMINATE		
CONT	CONTINUOUS	LAV	LAVATORY	T	TREAD
CONTR	CONTRACTOR	LIN	LINOLEUM	TBD	TO BE DETERMINED
CPT	CARPET			TH	THRESHOLD
CRS	COURSES	MAX	MAXIMUM	THK	THICK
CT	CERAMIC TILE	MECH	MECHANICAL	TJ	TRUSS JOIST
		MFR	MANUFACTURER	TO	TOP OF
(D)	DEMOLISH	MIN	MINIMUM	TOC	TOP OF CONCRETE
DAS	DISABLED ACCESS	MISC	MISCELLANEOUS	TOP	TOP OF PLATE
DBL	DOUBLE	MO	MASONRY OPENING	TOS	TOP OF SLAB
DIA	DIAMETER	MTD	MOUNTED	TOSHTG	TOP OF SHEATHING
DIM	DIMENSION	MTL	METAL	TOW	TOP OF WALL
DN	DOWN			TYP	TYPICAL
DS	DOWNSPOUT	N	NOTE		
DWG	DRAWING	(N)	NEW	UNO	UNLESS NOTED OTHERWISE
		NIC	NOT IN CONTRACT		
(E)	EXISTING	NTS	NOT TO SCALE	VCT	VINYL COMPOSITION TILE
ELECT	ELECTRICAL			VERT	VERTICAL
ELEV	ELEVATOR	OC	ON CENTER	VIF	VERIFY IN FIELD
EOS	EDGE OF SLAB	OFCI	OWNER FURNISHED-CONTRACTOR INSTALLED	W	WITH
EQ	EQUAL	OFOI	OWNER FURNISHED-OWNER INSTALLED	WC	WATER CLOSET
EXT	EXTERIOR			WD	WOOD
FE	FIRE EXTINGUISHER	OFVI	OWNER FURNISHED-VENDOR INSTALLED	WH	WATER HEATER
FF	FINISH FLOOR	OH	OVERHEAD	WP	WATERPROOF
FIN	FINISH	OPNG	OPENING	WPT	WORK POINT
FJ	FLOOR JOIST				

GENERAL NOTES

1. THE WORK SHALL CONFORM TO THE APPLICABLE BUILDING CODE, AND ALL OTHER ORDINANCES, CODES, AND REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, AND REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES, AND REGULATIONS ARE COLLECTIVELY REFERRED TO AS "THE CODE". CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.
2. CONSTRUCTION SHALL COMPLY WITH PERTINENT HEALTH AND SAFETY REGULATIONS FOR REQUIRED METHODS PROTECTING PUBLIC AND CONSTRUCTION WORKER'S HEALTH AND SAFETY DURING THE CONSTRUCTION PERIOD.
3. BEFORE ORDERING ANY MATERIAL OR DOING ANY WORK, THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AT THE BUILDING SITE AND SHALL BE RESPONSIBLE FOR CORRECTNESS OF SAME.
4. DIMENSIONS SHALL BE AS INDICATED ON THE DRAWINGS. CLARIFICATIONS, IF REQUIRED, SHALL BE OBTAINED FROM THE ARCHITECT. THE DRAWING SHALL NOT BE SCALED.
5. ALL ITEMS MARKED N.I.C. ON THE SPECIFICATIONS AND DRAWINGS MEANS NOT IN CONTRACT.
6. DO NOT MAKE ANY SUBSTITUTIONS WITHOUT PERMISSION OF THE ARCHITECT OR THE OWNER.
7. WORK INDICATED ON THE DRAWINGS OR IN THE SPECIFICATIONS AS N.I.C., OR BY SEPARATE CONTRACTORS, IS NOT PART OF THIS CONTRACT. CONTRACTOR SHALL COOPERATE FULLY WITH ALL SEPARATE CONTRACTORS EMPLOYED BY THE OWNER.
8. THE CLIENT, ARCHITECT, CONSULTANTS, AND ALL INSPECTORS FROM PERTINENT AGENCIES SHALL BE PERMITTED ACCESS TO THE JOB SITE AT ALL TIMES DURING NORMAL WORKING HOURS.
9. WINDOW AND DOOR DIMENSIONS FOR PREFABRICATED WINDOW AND DOOR UNITS HAVE BEEN ROUNDED TO THE NEAREST INCH ON THE DRAWINGS. SPECIFIC DIMENSIONS BY MANUFACTURERS MAY VARY FROM THE DRAWINGS.
10. THE CONTRACTOR SHALL VERIFY LOCATION AND SIZE OF ALL FLOOR, ROOF, AND WALL OPENINGS WITH ALL APPLICABLE DRAWINGS.
11. DETAILS ARE INTENDED TO SHOW THE INTENT OF THE DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT THE FIELD DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK OF THE CONTRACT.
12. THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE THE METHODS OF CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES INCLUDING, BUT NOT LIMITED TO BRACING AND SHORING. OBSERVATION VISITS TO THE SITE BY FIELD REPRESENTATIVES OF THE ARCHITECT AND/OR ENGINEER SHALL NOT INCLUDE INSPECTIONS OF THE PROTECTIVE MEASURES TO THE CONSTRUCTION PROCEDURES.

    ANY SUPPORT SERVICES PERFORMED BY THE ARCHITECT AND/OR ENGINEER DURING THE CONSTRUCTION SHALL BE DISTINGUISHED FROM CONTINUOUS AND DETAILED INSPECTION SERVICES WHICH IS FURNISHED BY OTHERS. THESE SUPPORT SERVICES PERFORMED BY THE ARCHITECT AND/OR ENGINEER, WHETHER OF MATERIAL OR WORK, AND WHETHER PERFORMED PRIOR TO, DURING, OR AFTER COMPLETION OF CONSTRUCTION, ARE PERFORMED SOLELY FOR THE PURPOSE OF ASSISTING IN QUALITY CONTROL AND IN ACHIEVING GENERAL CONFORMANCE WITH CONTRACT DOCUMENTS, BUT DO NOT GUARANTEE CONTRACTOR'S PERFORMANCE AND SHALL NOT BE CONSTRUED AS SUPERVISION OF CONSTRUCTION.
13. IN THE EVENT OF CONFLICTING REQUIREMENTS BETWEEN ITEMS ON THE DRAWING OR BETWEEN ITEMS IN THE SPECIFICATIONS, OR BETWEEN ITEMS ON THE DRAWINGS AND IN THE SPECIFICATIONS, THE MORE STRINGENT OR COSTLY SHALL GOVERN, UNLESS DECIDED OTHERWISE BY THE ARCHITECT.

DAS ROOM SCHEDULE

	ROOM #	ROOM TYPE	ROLL-IN SHOWER	HEARING IMPAIRED EQUIP
	301	QUEEN + QUEEN	YES	YES
	317	KING	YES	YES
	501	QUEEN + QUEEN	YES	YES
	517	KING	YES	YES
	701	QUEEN + QUEEN	YES	YES
	717	KING	YES	YES
	901	QUEEN + QUEEN	YES	YES
	917	KING	YES	YES
	304	QUEEN + QUEEN	NO	YES
	306	KING	NO	YES
	504	QUEEN + QUEEN	NO	YES
	506	KING	NO	YES
	704	QUEEN + QUEEN	NO	YES
	706	KING	NO	YES
		TOTAL	8	14

FLOOR AREA SCHEDULE

1ST FL FFE	
AREA	1907 SF
3RD FL FFE	
AREA	10585 SF
4TH FL FFE	
AREA	10685 SF
5TH FL FFE	
AREA	10685 SF
6TH FL FFE	
AREA	10685 SF
7TH FL FFE	
AREA	10685 SF
8TH FL FFE	
AREA	10685 SF
9TH FL FFE	
AREA	10685 SF
10TH FL FFE	
AREA	2674 SF
Grand total	78378 SF

LEGAL DESCRIPTION

LOTS 11, 12, 13 AND 14 OF THE SACKET TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 OF MAPS, AT PAGE 150, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

EXCEPT THEREFROM THAT PORTION OF LOTS 11, 12, 13 AND 14 IN THE SACKET TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 150 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF SAID LOT 14 WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THE WEST WALL OF A BRICK GARAGE SITUATED ON THE LAND HEREON DESCRIBED, SAID INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE DISTANT NORTH 89° 54' 30" WEST, ALONG THE SOUTHERLY LINES OF LOTS 11 AND 18, 127.33 FEET FROM THE WESTERLY LINE OF THE 20 FOOT ALLEY ADJOINING LOT 11 ON THE EAST AS SAID ALLEY IS ESTABLISHED BY THE CITY ENGINEER OF SAID CITY; SAID INTERSECTION BEING ALSO SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF LOTS 17 AND 18 OF SAID TRACT, 149.20 FEET FROM THE EASTERLY LINE OF WILCOX AVENUE, 80 FEET WIDE, AS ESTABLISHED BY SAID CITY ENGINEER; THENCE SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF SAID LOTS 18 AND 11, A DISTANCE OF 65.74 FEET TO A POINT OF INTERSECTION WITH THE EAST FACE OF THE EAST WALL OF SAID BRICK GARAGE, SAID POINT OF INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE OF SAID LOT 11, DISTANT NORTH 89° 54' 30" WEST THEREON 61.59 FEET FROM SAID WEST LINE OF SAID ALLEY AND DISTANT SOUTH 89° 54' 30" EAST, ALONG THE SOUTHERLY LINES OF LOTS 17, 18 AND 11, A DISTANCE OF 205.94 FEET FROM SAID EASTERLY LINE OF WILCOX AVENUE; THENCE NORTHERLY ALONG SAID EAST FACE, THE FOLLOWING DESCRIBED COURSES: NORTH 0° 08' 15" EAST 70.19 FEET; NORTH 89° 54' 45" WEST 6.58 FEET AND NORTH 0° 08' 15" EAST 114.88 FEET TO THE NORTHERLY LINE OF SAID LOT 13; THENCE NORTH 89° 55' 15" WEST, ALONG THE NORTHERLY LINE OF SAID LOT 13, A DISTANCE OF 65.26 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 13; THENCE SOUTH 0° 04' 30" WEST, ALONG THE WESTERLY LINE OF SAID LOTS 13 AND 12, A DISTANCE OF 114.89 FEET TO THE NORTHERLY LINE OF SAID LOT 18; THENCE SOUTH 89° 54' 45" EAST, ALONG SAID NORTHERLY LINE OF LOT 18, A DISTANCE OF 6.13 FEET TO THE NORTHERLY PROLONGATION OF SAID WEST FACE OF SAID WEST WALL; THENCE SOUTH 0° 04' 30" WEST, ALONG SAID WEST FACE, AND ITS PROLONGATION A DISTANCE OF 68.99 FEET TO THE POINT OF BEGINNING.

EASEMENT DATA, EXCEPTIONS & EXCLUSIONS

PER PRELIMINARY TITLE REPORT ISSUED BY OLD REPUBLIC TITLE COMPANY
ORDER NO. 2476602987 DATED JUNE 5, 2007 AT 8:00 AM
GEOGRAPHICALLY LOCATABLE ITEMS FROM SAID TITLE REPORT (SUCH AS EASEMENTS) WHICH AFFECT THE TITLE TO THE SUBJECT PROPERTY ARE NUMERICALLY KEYED TO SAID REPORT AND ARE AS FOLLOWS:

NO EASEMENTS OF RECORD.

BUILDING CODES USED

2010 CALIFORNIA BUILDING CODE (CBC), PART 2,
TITLE 24, C.C.R. AND AMENDMENTS

2010 CALIFORNIA ELECTRICAL CODE (CEC), PART 3,
TITLE 24, C.C.R. AND AMENDMENTS

2010 CALIFORNIA MECHANICAL CODE (CMC), PART 4,
TITLE 24, C.C.R. AND AMENDMENTS

2010 CALIFORNIA PLUMBING CODE (CPC), PART 5,
TITLE 24, C.C.R. AND AMENDMENTS

2010 CALIFORNIA FIRE CODE (CFC), PART 9,
TITLE 24, C.C.R. AND AMENDMENTS

2010 CALIFORNIA REFERENCED STANDARDS CODE, PART 12,
TITLE 24 C.C.R.

2010 CALIFORNIA GREEN BUILDING CODE, TITLE 24, PART 6

DEFERRED APPROVALS

1. MECHANICAL, PLUMBING AND ELECTRICAL WORK
2. FIRE SPRINKLER SYSTEM
3. FIRE ALARM SYSTEMS
4. SIGNAGE
5. GRADING WORK
6. WORK IN PUBLIC WAY
7. SHORING
8. 10TH FLOOR - RESTAURANT / BAR / KITCHEN
9. 10TH FLOOR - CABANAS / POOL / POOL LIFT
10. 10TH FLOOR - BAR
11. GLASS RAILING
12. CURTAIN WALL

FIRE RATING REQUIRMENTS

PER LACBC TABLE 601

BUILDING ELEMENT	TYPE 1B
STRUCTURAL FRAME	2 HOUR
BEARING WALLS EXTERIOR	2 HOUR
BEARING WALLS EXTERIOR SUPPORTING ROOF	1 HOUR
BEARING WALLS INTERIOR	2 HOUR
NON BEARING WALLS	0 HOUR
FLOOR CONSTRUCTION	2 HOUR
ROOF CONSTRUCTION	1 HOUR
SHAFT WALLS FOR ELEVATORS AND STAIRS	2 HOUR
SHAFT WALLS FOR EXHAUST	1 HOUR

NOTE
1. UNLESS NOTED OTHERWISE FOLLOW CHART FOR FIRE RATINGS FOR BUILDING ELEMENTS.

PROJECT INFORMATION

PROJECT NAME	DREAM HOLLYWOOD HOTEL
ADDRESS	6417 SELMA AVE LOS ANGELES, CA
OWNER	6417 SELMA HOTEL LLC 1605 N CAHUENGA BLVD SUITE 203 LOS ANGELES, CA 90028
PROJECT DESCRIPTION	HIGHRISE CONSTRUCTION - TOTAL OF 10 STORIES, 7 STORIES OF HOTEL ROOMS WITH ROOFTOP POOL, RESTAURANT & LOUNGE BUILT OVER 2 LEVELS OF PARKING WITH LOBBY ON FIRST LEVEL.
CONSTRUCTION TYPE	TYPE I-B FULLY SPRINKLERED
ZONING	C4-2D-SN
FLOOD ZONE	NA
SITE AREA	13,922.14 SQ FT
SET BACKS	NONE
PROPOSED FAR	78,376 SF
ALLOWABLE BLDG HEIGHT	125'-0"
PROPOSED BLDG HEIGHT	125'-0"
PROPOSED DENSITY	182
OCCUPANCY TYPE:	R1, A2, S2

GROSS AREA SCHEDULE

NAME	AREA
1ST FL FFE	
HOTEL	13805 SF
2ND FL FFE	
HOTEL	13058 SF
3RD FL FFE	
HOTEL	11938 SF
4TH FL FFE	
HOTEL	11938 SF
5TH FL FFE	
HOTEL	11938 SF
6TH FL FFE	
HOTEL	11938 SF
7TH FL FFE	
HOTEL	11938 SF
8TH FL FFE	
HOTEL	11938 SF
9TH FL FFE	
HOTEL	11938 SF
10TH FL FFE	
OPEN TO SKY	9106 SF
COMMERCIAL	1804 SF
COMMERCIAL	835 SF
Grand total	122268 SF

PROJECT TEAM

OWNER
FIVE CHAIRS DEVELOPMENT
1605 CAHUENGA BLVD
LOS ANGELES, CA 90028
310.283.7045
RICHARD HEYMAN

ARCHITECT
KILLEFER FLAMMANG ARCHITECTS
1625 OLYMPIC BLVD
SANTA MONICA, CA 90404
310.399.7975
ALLISON MASSETTI

STRUCTURAL ENGINEER
ARC ENGINEERING
208 NORTH 1ST AVE
ARCADIA, CA 91006
626.574.1425
GAGAN BAINS

SHEET INDEX

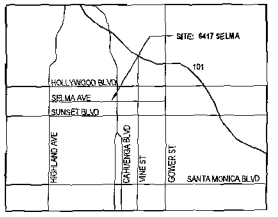
GENERAL NOTES:

G000	COVER SHEET
G010	PROJECT INFORMATION
G023	FAR PLANS

ARCHITECTURAL:

A001	SITE PLAN
A101	1ST FLOOR PLAN
A102	2ND FLOOR PLAN
A105	5TH FLOOR PLAN (FLOORS 3-9 TYP)
A110	10TH FLOOR PLAN
A111	ROOF PLAN
A200	NORTH AND SOUTH ELEVATIONS
A201	EAST ELEVATION
A202	WEST ELEVATION
A300	BUILDING SECTION

VICINITY MAP



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6417 SELMA HOTEL LLC
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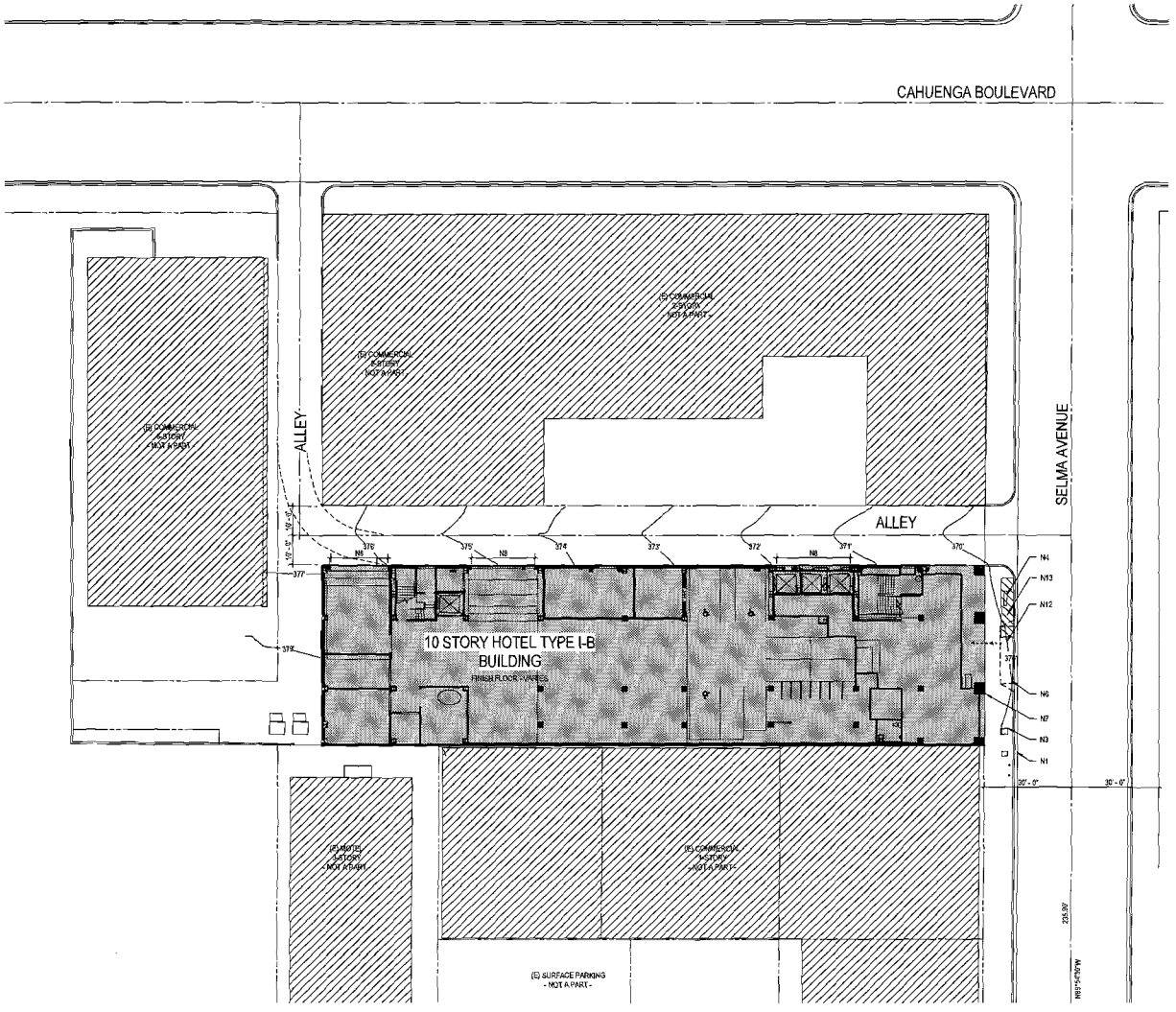
PLANCHECK 13010
SET 131029

PROJECT INFORMATION

G010

CITY OF LOS ANGELES
DEPARTMENT OF BUILDING AND SAFETY
"EXAMINED FOR CODE COMPLIANCE"
DATE: 12-2-13
DEPARTMENT REVIEWER
Case No. ZA 2013-3504 (ZV)
Page No.



SITE PLAN
1/16" = 1'-0"

1

NOTES

1. (E) CURB & GUTTER
2. (E) SIDEWALK - MAX CROSS SLOPE SHALL NOT EXCEED 2%
3. (E) WATER METER TO BE RELOCATED
4. (E) POWER CABINET TO BE RELOCATED
5. NOT USED
6. (E) CURB CUT TO BE REMOVED - REPLACE W/ NEW CURB & GUTTER TO MATCH EXISTING
7. FIRE DEPARTMENT CONNECTION
8. PARKING DRIVEWAY
9. PARKING RAMP
10. LADWP TRANSFORMER
11. NOT USED
12. CURB RAMP - MAX 8.33% SLOPE
13. DROP-OFF ACCESS AISLE - 60" X 20'-0"

EXPIRES
Permit No. 3 of 12
Case No. ZA 2013-3504(ZV)

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. SEE SHTS G032-G034 FOR TYP ACCESSIBILITY REQTS.

C. PROVIDE EXPANSION JOINTS AT ALL POINTS OF CONTACT BTWN SLAB AND VERTICAL SURFACES.

D. SELMA AND ALLEY: REPAIR ANY BROKEN, OFF GRADE OR BAD ORDER CONCRETE CURB, GUTTER, AND CONCRETE SIDEWALK TO THE SATISFACTION OF THE CITY ENGINEER.

LEGEND

ACCESSIBLE PATH OF TRAVEL

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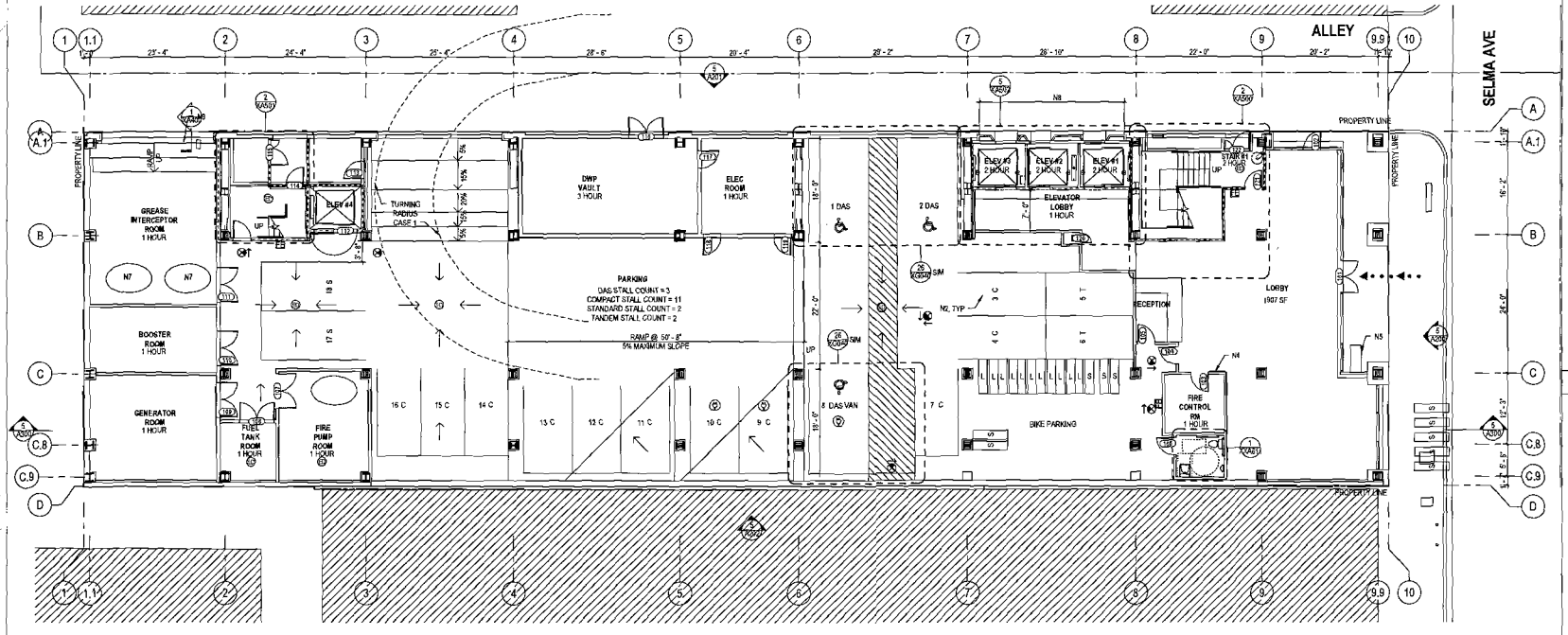
6417 SELMA HOTEL LLC
1626 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

PLANSET
13010
thru
131029

SHEET TITLE
SITE PLAN

SHEET NUMBER
A001



1ST FLOOR PLAN
1/8" = 1'-0"

NOTES

1. CLASS I STANDPIPE WITH HORIZONTAL TRANSFER FROM FLOOR ABOVE
2. PARKING SPACE STRIPING
3. SLIDING DECORATIVE IRON DOORS
4. ANNUNCIATOR PANEL
5. FIRE SERVICE CONNECTION
6. DOMESTIC WATER
7. GREASE INTERCEPTOR BELOW SLAB
8. DECORATIVE WOOD PANELS AT ELEVATOR ENTRANCE
9. FUEL FILL
10. REQUIRED TURNING RADIUS FOR PARKING AREA WITH LESS THAN 25 STALLS
11. LINE OF FLOOR ABOVE
12. NONABSORBENT INTERIOR FLOOR AND WALL FINISHES WITHIN AT LEAST TWO FEET AROUND AND PERPENDICULAR TO OPENING

EXHIBIT A
CASE NO. ZA 2013-3570-(1)(2)

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS 0040-0042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE PIPE GUARDS AT ALL EXPOSED PIPES PER DET XX/A20.

F. MIN CLEAR HEIGHT TO THE BOTTOM OF PLUMBING, ELECTRICAL, MECHANICAL PROJECTIONS AND BOTTOM OF STRUCTURAL ELEMENTS SHALL NOT BE LESS THAN 8'-2".

G. PARKING SPACES SHALL NOT OBSTUCT REQUIRED EXITS.

H. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

LEGEND

- CLASS I STANDPIPE
- WALL - 2 HOUR
- S — SHORT TERM BIKE PARKING STALL
- L — LONG TERM BIKE PARKING STALL
- GROUNDED AC OUTLET FOR FUTURE ELECTRIC VEHICLE CHARGING STATIONS. 208/240 V 40 AMP
- ACCESSIBLE
- 1/4" PER FOOT SLOPE UNO

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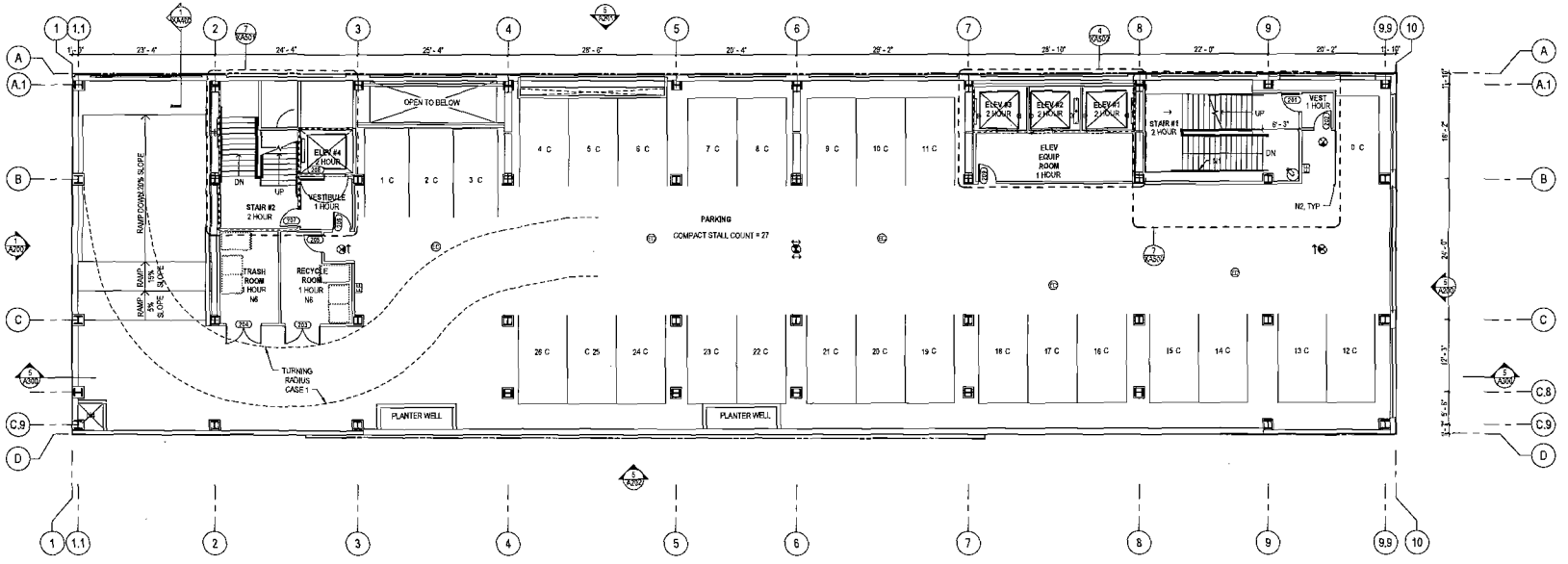
13010
131029

1ST FLOOR PLAN

A101



2ND FLOOR PLAN
1/8" = 1'-0"

NOTES

1. CLASS I STANDPIPE WITH HORIZONTAL TRANSFER FROM FLOOR ABOVE
2. PARKING SPACE STRIPING
3. GENERATOR EXHAUST LOUVER
4. SHAFT FOR GENERATOR EXHAUST
5. ROOF DRAIN PIPE
6. GARAGE EXHAUST FAN
7. TRASH ROOM EXHAUST FAN AND DUCT ABOVE

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. ALL DIMENSIONS INDICATED AS 'CLR' ARE FROM FINISH TO FINISH.

C. SEE SHTS G040-G043 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE PIPE GUARDS AT ALL EXPOSED PIPES PER DET 10/A820.

F. MIN CLEAR HEIGHT TO THE BOTTOM OF PLUMBING, ELECTRICAL, MECHANICAL PROJECTIONS AND BOTTOM OF STRUCTURAL ELEMENTS SHALL NOT BE LESS THAN 8'-2".

G. PARKING SPACES SHALL NOT OBSTRUCT REQUIRED EXITS.

H. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 3A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

LEGEND

- CLASS I STANDPIPE
- WALL - 2 HOUR
- WALL - CONCRETE
- 1/4" PER FOOT SLOPE UNO

PLANNING & ZONING
DEPT. REVIEW
DATE: 5-6-13
Dept No. 12
ZA 2013-3504(ZV)
CASE NO.

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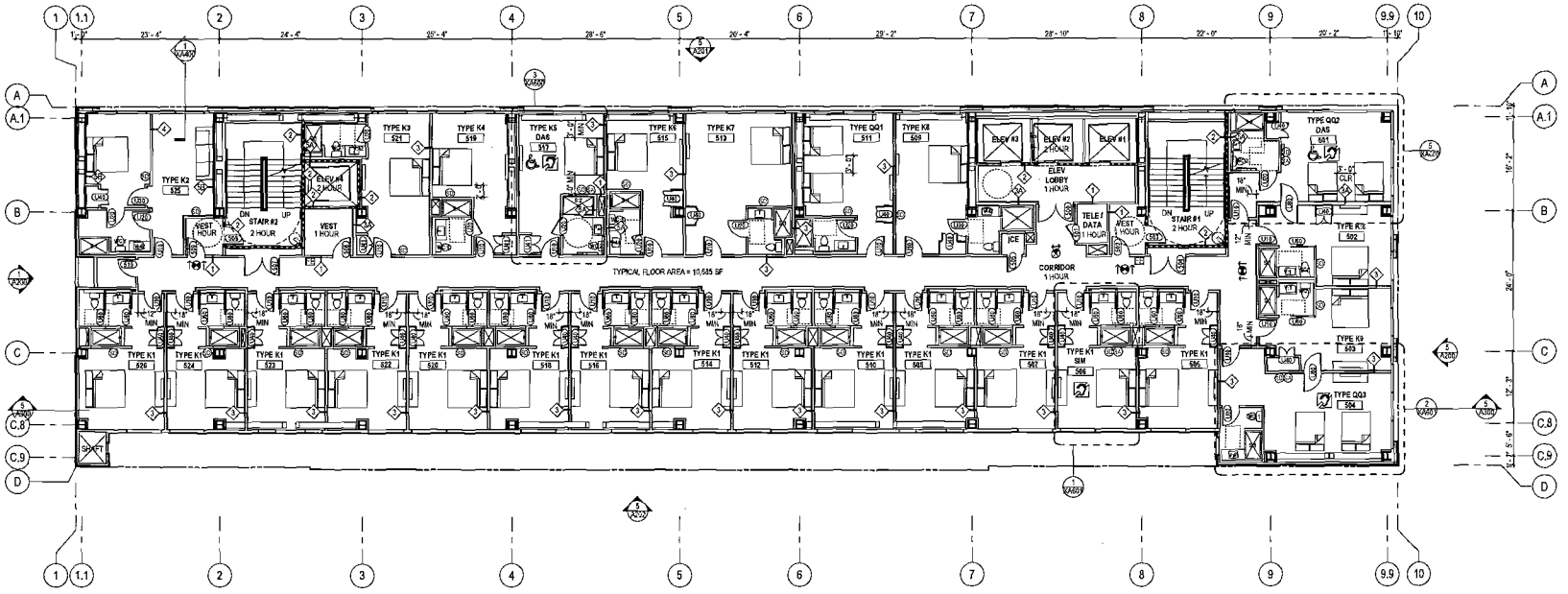
ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN SHALL NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF KFA.

PROJECT NO. 13010
APN 131029

SHEET NAME
2ND FLOOR PLAN

SHEET NUMBER
A102



5TH FLOOR PLAN (TYPICAL FOR FLOORS 3-9)
1/8" = 1'-0"

5

NOTES

Date Rec'd 12-6-13
Page No. 6 of 12
Case No. ZA 2013-3354(ZV)

GUEST ROOM SCHEDULE

NUMBER	ROOM TYPE
5TH FL FPE	
501	TYPE QQ2 DAS
502	TYPE K8
503	TYPE K9
504	TYPE QQ3
505	TYPE K1
506	TYPE K1 SIM
507	TYPE K1
508	TYPE K1
509	TYPE K8
510	TYPE K1
511	TYPE QQ1
512	TYPE K1
513	TYPE K7
514	TYPE K1
515	TYPE K6
516	TYPE K1
517	TYPE K5 DAS
518	TYPE K1
519	TYPE K4
520	TYPE K1
521	TYPE K3
522	TYPE K1
523	TYPE K1
524	TYPE K1
525	TYPE K2
526	TYPE K1

Grand total: 26 PER FLOOR

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOS UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G0A1-G0A2 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 2A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. ALL BATHROOM FIXTURES IN NON DAS GUEST ROOMS TO BE IN A LOCATION THAT ALLOWS A PERSON USING A WHEELCHAIR MEASURING 30" X 48" TO TOUCH THE WHEELCHAIR TO ANY LAVATORY, WATER CLOSET, TUB AND SHOWER STALL.

G. LOCATION AND QUANTITY OF SMOKE DECTECTORS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR.

LEGEND

- CLASS I STANDPIPE
- 1/4" PER FOOT SLOPE UNO
- 2-HOUR WALL
- 60" DIA CLEAR
- 30" x 48" CLEAR FLOOR SPACE
- ACCESSIBLE GUEST ROOM
- HEARING IMPAIRED GUEST ROOM

S.# SHOWER TYPE
V.# VANITY TYPE
T.# BATHTUB TYPE
WC.# WATER CLOSET

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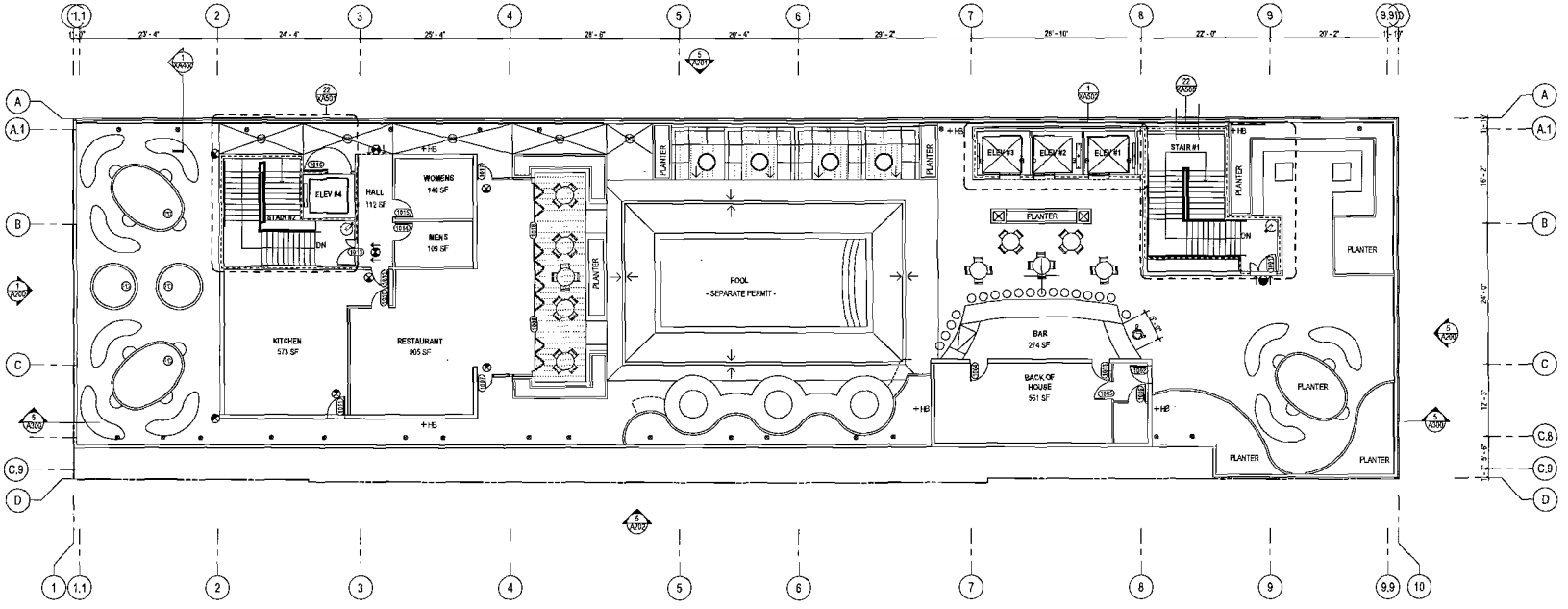
PROJECT NO. 13010
DATE 131029

5TH FLOOR PLAN (FLOORS 3-9 TYP)

SHEET NO. A105



10TH FLOOR PLAN
1/8" = 1'-0"

4

NOTES

1. COMPANION SEAT PER DAS REQUIREMENTS
2. KEEP TABLE TOP BETWEEN 28" - 34" HEIGHT PER DAS REQUIREMENTS. KEEP KNEE CLEARANCES MIN 27"H X 30"W X 19"D
3. POOL ASSISTING LIFT FOR DISABLED ACCESS - UNDER SEPARATE PERMIT
4. TRENCH DRAIN

EXHIBIT "A"
Case No. ZA 2013-3504(CU)
Page No. 7 of 12

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOS U.N.O.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G040-G042 FOR TYPICAL ACCESSIBILITY REQUIREMENTS

D. ROOMS LABELED AS HAVING A FIRE RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX. RATION OF 3A-10B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX. TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. LOCATION AND QUANTITY OF EXIT SIGNS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR. REVIEW LOCATIONS WITH INSPECTOR PRIOR TO INSTALLATION.

LEGEND

- CLASS I STANDPIPE
- 2-HOUR ASSEMBLY
- FIXED DAVIT SOCKET
- TIE DOWN ANCHOR - FLUSH MOUNT
- TIE BACK ANCHOR
- DOUBLE TIE BACK ANCHOR
- +HB HOSE BIBB
- PLANTER

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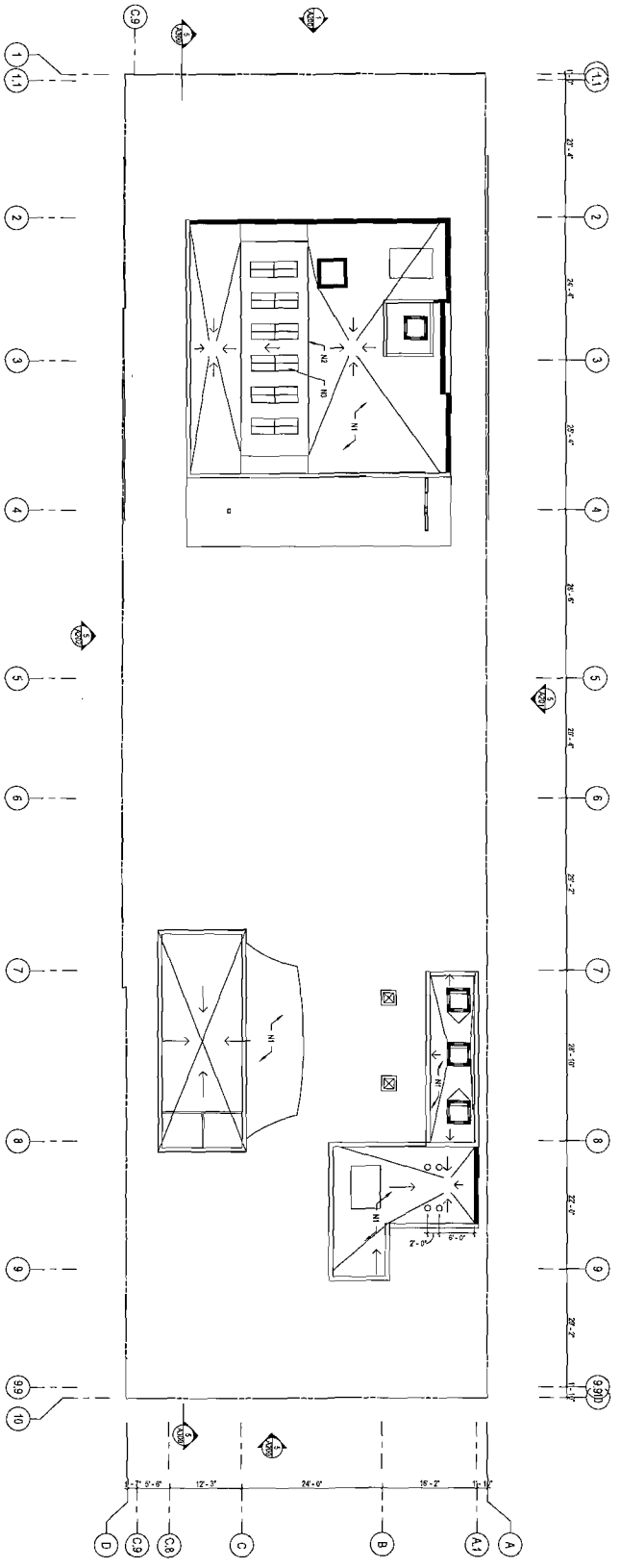
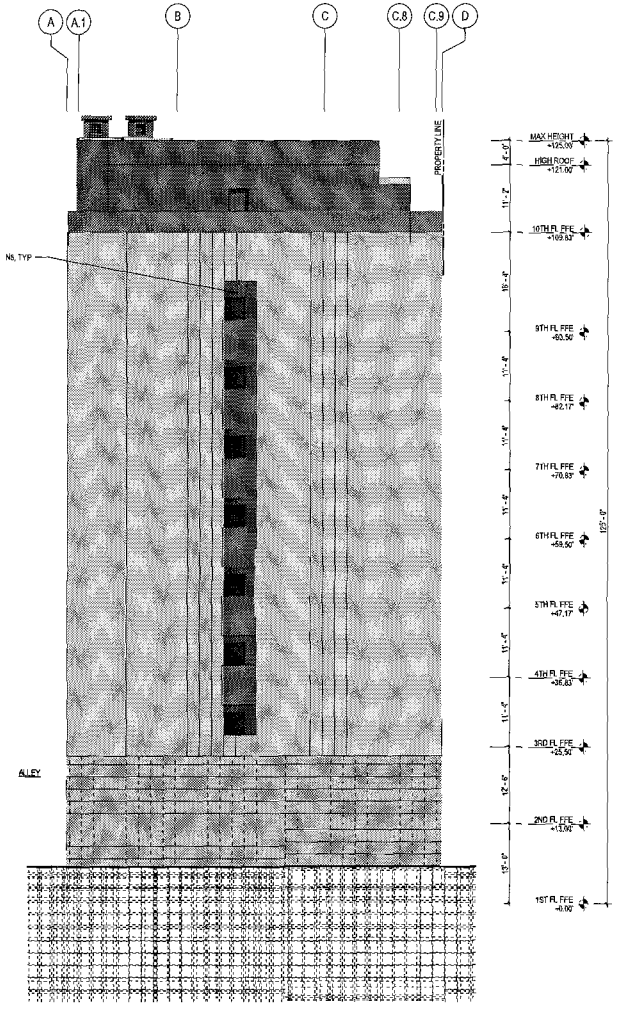
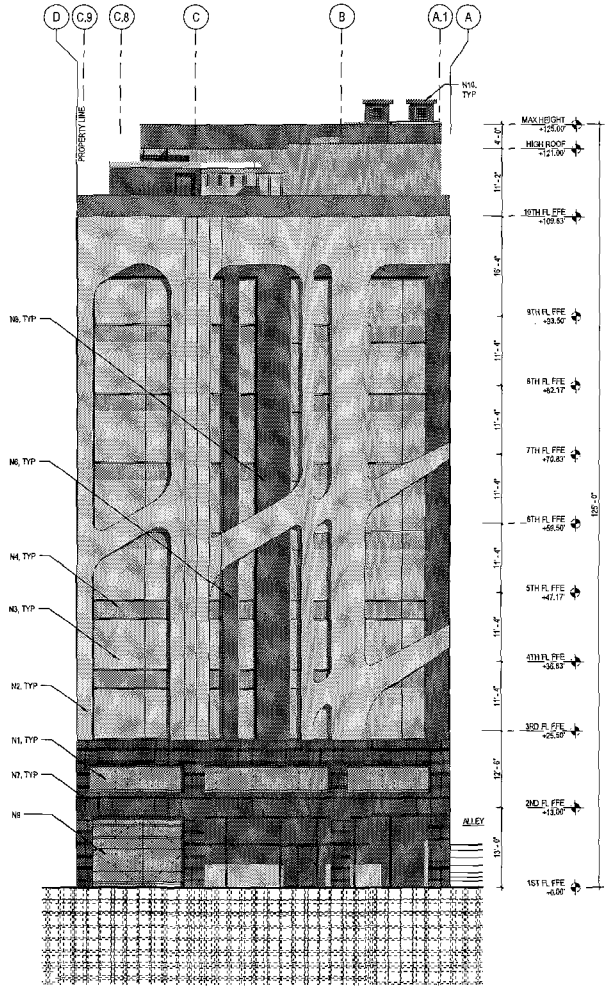
13010
131029

10TH FLOOR PLAN

A110


C.9
1
1.1
2
3
4
5
6
7
8
9
9.9
10
A100
A100
A100





SOUTH ELEVATION
1/8" = 1'-0"
5

NOTES

1. DECORATIVE IRON GRILL
2. METAL PANEL
3. BUTT-GLAZED CURTAIN WALL SYSTEM
4. SPANDREL GLAZING
5. EXHAUST LOUVER / DECORATIVE GRILL
6. EXTERIOR PLASTER
7. BRICK VENEER
8. LOUVER
9. DECORATIVE IRON GATE
10. MECHANICAL DOG HOUSE

EXHIBIT A
Page No. 9 of 12
Case No. ZA 2013-3504(CU)

SHEET NOTES

A. PROVIDE GRAFFITI - RESISTANT COATING TO A HEIGHT OF 10'-0" ABOVE GRADE AT STREET ELEVATIONS, UNLESS NOTED ELSEWHERE.

B. OUTDOOR LIGHTING SYSTEMS SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH THE FOLLOWING:
   1. THE MINIMUM REQUIREMENTS IN CALIFORNIA ENERGY CODE FOR LIGHTING ZONES 1-4.
   2. BACKLIGHT, UPLIGHT AND GLARE (BUG) RATINGS AS DEFINED IN IESNA TM-15-11.
   3. ALLOWABLE BUG RATINGS NOT EXCEEDING THOSE SHOWN IN CALGREEN TABLE 5.106.8.

LEGEND

- EXTERIOR METAL WALL PANEL
- CMU
- PLASTER
- BRICK
- FIRE DEPARTMENT CONNECTION

KFA
1625 OLYMPIC BOULEVARD
SANTA MONICA, CA 90404
310.399.7575
KFALOSANGELES.COM

Dream Hollywood Hotel

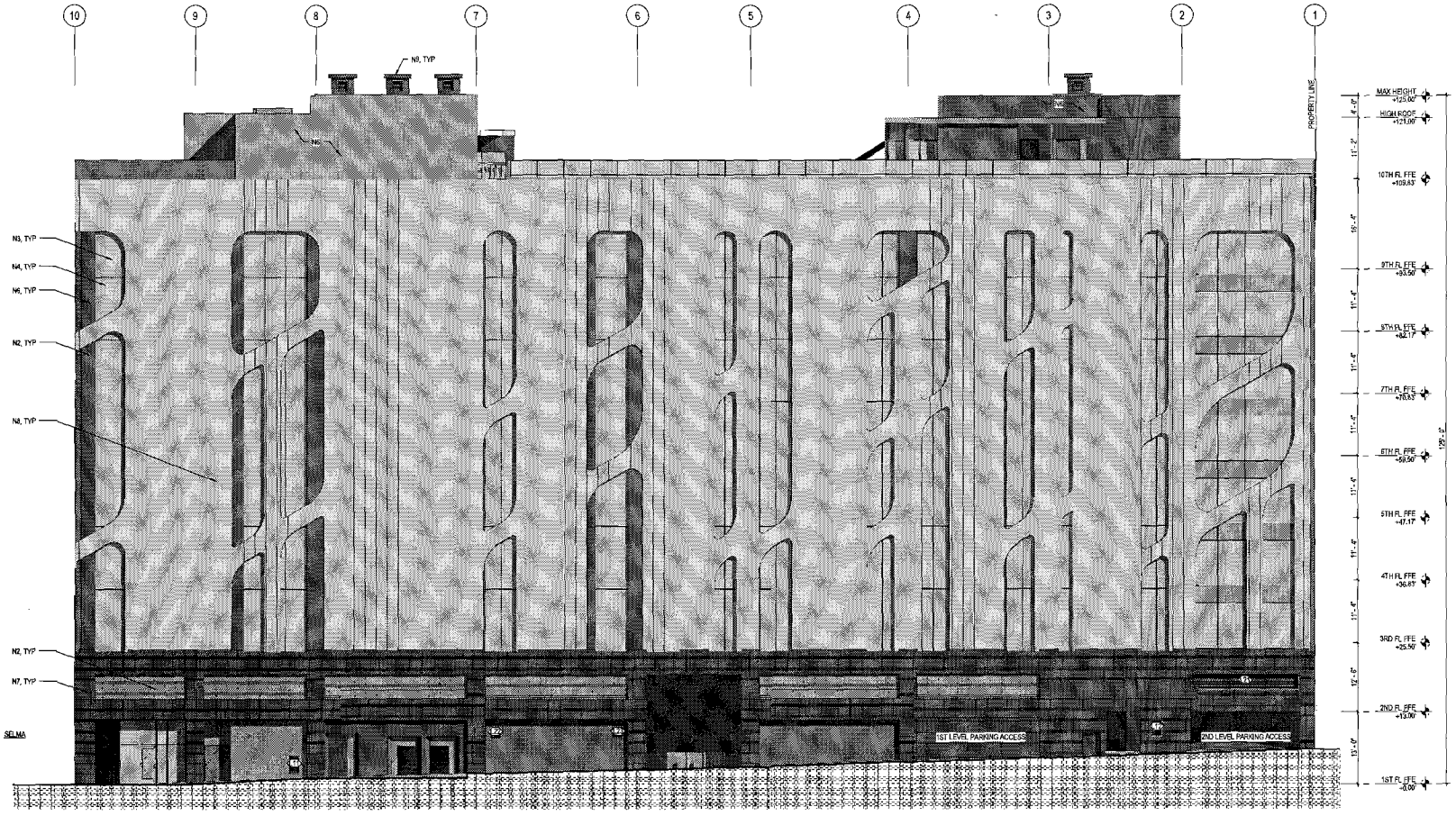
6417 SELMA AVENUE
LOS ANGELES, CA

1547 SELMA HOTEL LLC
1925 CENTURY BLVD. SUITE 20
LOS ANGELES, CALIFORNIA 90024

13010
13029

NORTH AND SOU
ELEVATIONS

A200



EAST ELEVATION
1/8" = 1'-0"
5

NOTES

1. DECORATIVE IRON GRILL
2. METAL PANEL
3. BUTT-GLAZED CURTAIN WALL SYSTEM
4. SPANDREL GLAZING
5. EXHAUST LOUVER / DECORATIVE GRILL
6. EXTERIOR PLASTER
7. BRICK VENEER
8. LOUVER
9. MECHANICAL DOG HOUSE

EXHIBIT A
Page No. 10 of 12
Case No. ZA 2013-3504 (ZV)

SHEET NOTES

A. PROVIDE GRAFFITI - RESISTANT COATING TO A HEIGHT OF 10'-0" ABOVE GRADE AT STREET ELEVATIONS, UNLESS NOTED ELSEWHERE.

B. OUTDOOR LIGHTING SYSTEMS SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH THE FOLLOWING:
1. THE MINIMUM REQUIREMENTS IN CALIFORNIA ENERGY CODE FOR LIGHTING ZONES 1-4.

2. BACKLIGHT, UPLIGHT AND GLARE (BUG) RATINGS AS DEFINED IN IESNA TM-15-11.

3. ALLOWABLE BUG RATINGS NOT EXCEEDING THOSE SHOWN IN CALGREEN TABLES 5.106.8.

LEGEND

- EXTERIOR METAL WALL PANEL
- CMU
- PLASTER
- BRICK
- FIRE DEPARTMENT CONNECTION

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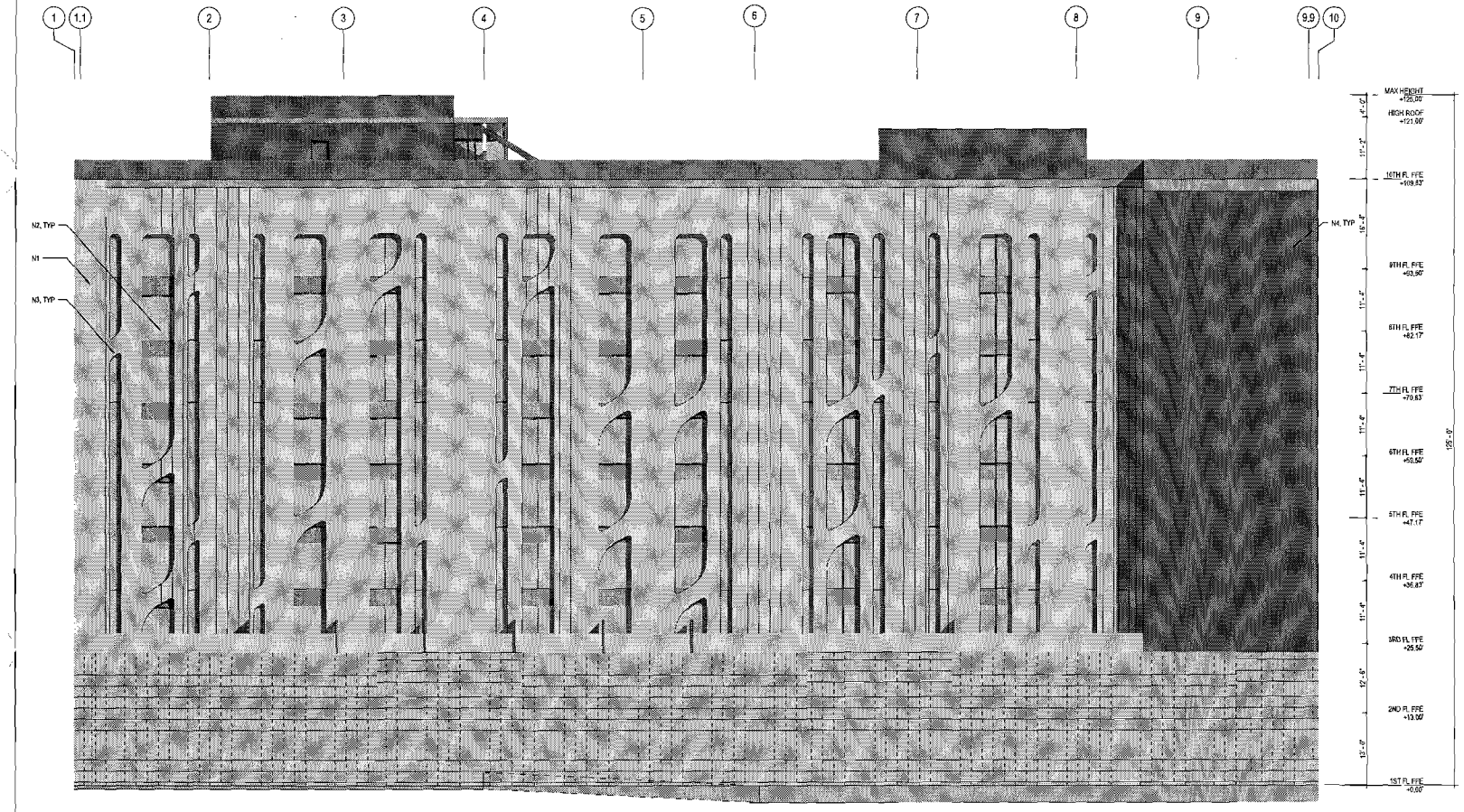
1647 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

JOB NUMBER 13010
SET 131029

SHEET TITLE
EAST ELEVATION

SHEET NUMBER
A201



WEST ELEVATION
3/8" = 1'-0"

5

NOTES

1. METAL PANEL
2. BUTT-GLAZED CURTAIN WALL SYSTEM
3. SPANDREL GLAZING
4. EXTERIOR PLASTER
5. LOUVER

PLANNING & ZONING
Exhibit "A"
Page No. 11 of 12
Case No. ZA 2013-3504(ZV)

SHEET NOTES

A. PROVIDE GRAFFITI - RESISTANT COATING TO A HEIGHT OF 10'-0" ABOVE GRADE AT STREET ELEVATIONS, UNLESS NOTED ELSEWHERE.

B. OUTDOOR LIGHTING SYSTEMS SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH THE FOLLOWING:
   1. THE MINIMUM REQUIREMENTS IN CALIFORNIA ENERGY CODE FOR LIGHTING ZONES 1-4.
   2. BACKLIGHT, UPLIGHT AND GLARE (BUG) RATINGS AS DEFINED IN IESNA TM-15-11.
   3. ALLOWABLE BUG RATINGS NOT EXCEEDING THOSE SHOWN IN CALGREEN TABLE 5.106.8.

LEGEND

- EXTERIOR METAL WALL PANEL
- CMU
- PLASTER
- BRICK
- FIRE DEPARTMENT CONNECTION

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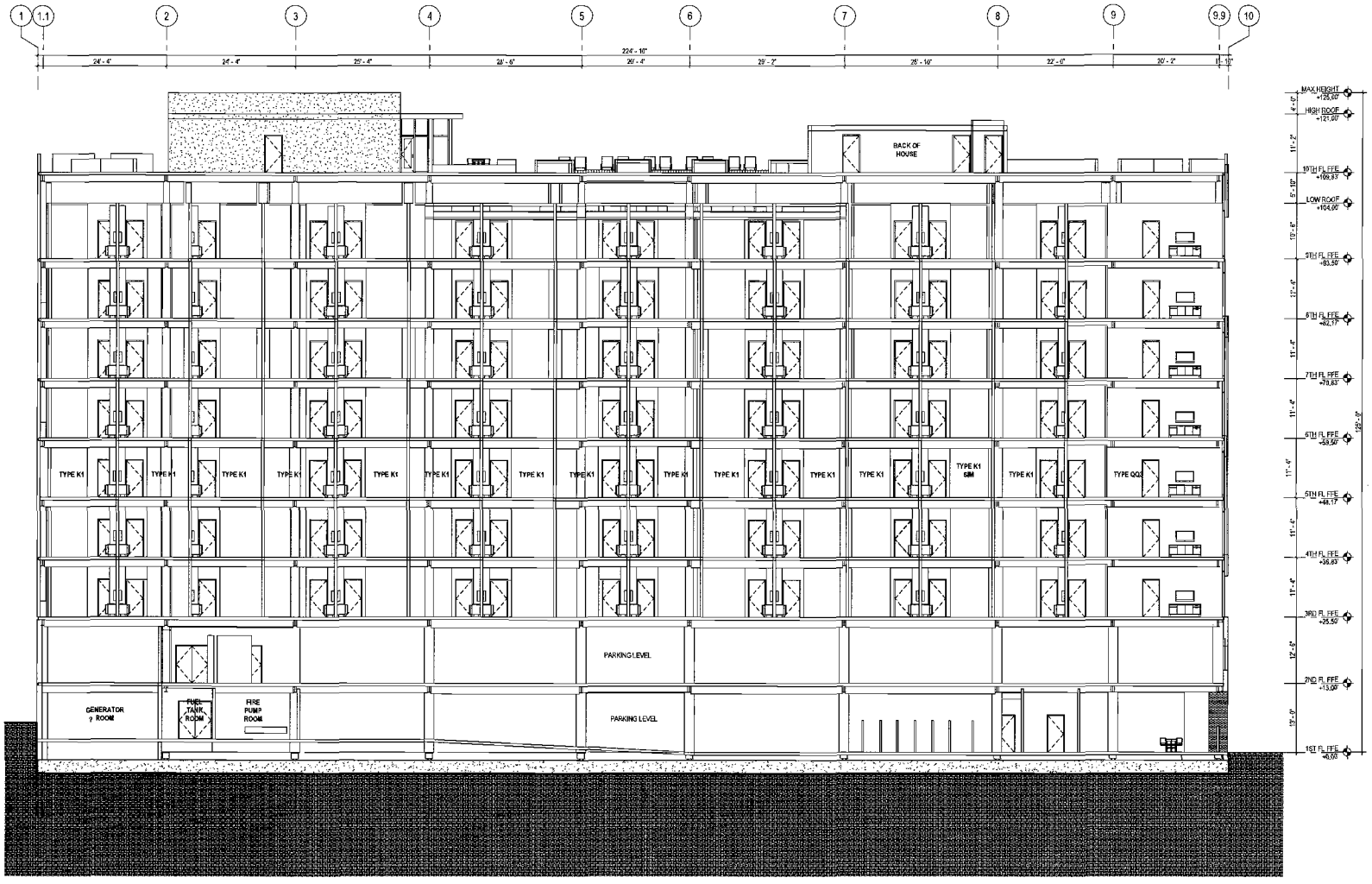
1647 SELMA HOTEL LLC
1605 CAHUENGA BLVD, SUITE 203
LOS ANGELES, CALIFORNIA 90028

JOB NUMBER
13010
SET
131029
DATE

SHEET TITLE
WEST ELEVATION

SHEET NUMBER
A202



LONGITUDINAL SECTION
1/8" = 1'-0"
5

NOTES

1. SLAB ON GRADE
2. COOLING TOWER
3. POOL, SEPARATE PERMIT
4. TOILET EXHAUST DUCT

DIR-2013-353-DRB-SPR-HCA
Date No. 12
Page No. 12
Case No. ZA 2013-3504(ZV)

SHEET NOTES

A. ALL FLOORS TO BE A MINIMUM OF 2-HOUR FIRE RATING. SEE SHEET G010 FOR ALL ASSEMBLY RATINGS.

B. SEE SHEET A900 FOR TYPICAL FLOOR / CEILING ASSEMBLIES AND ROOF / CEILING ASSEMBLIES

LEGEND

- MASONRY WALL
- CONCRETE WALL
- 2-HOUR WALL
- STRUCTURAL BEAM W/ FIREPROOFING - SEE STRUCT

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THESE DRAWINGS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF KFA (LOS ANGELES) AND ARE NOT TO BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF KFA (LOS ANGELES).

SUBMITTAL

13010
131029

BUILDING SECTION

A300

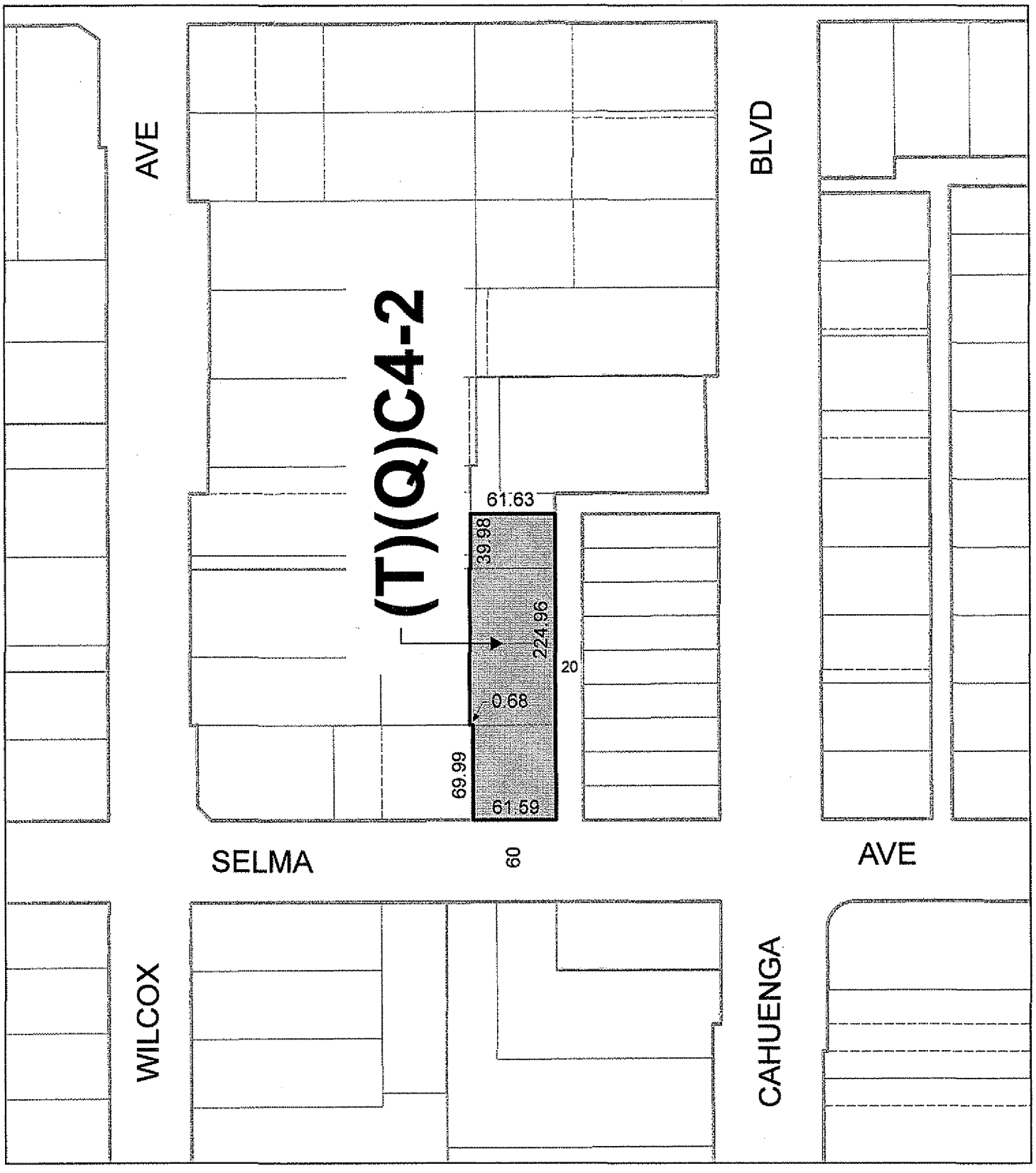
EXHIBIT C

ORDINANCE NO. 180381

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



1 inch equals 100 feet

C.M. 148.5 A 187	CPC 2007-3931-ZC-HD-CUB-ZV-SPR

AA

8/20/08

DATA SOURCES: DEPARTMENT OF CITY PLANNING - BUREAU OF ENGINEERING

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. Use. The use and area regulations of the subject property shall be limited to the provisions of the C4-2-SN Zone as defined in Section 12.16 of the LAMC, except as modified herein, by the Variances and Conditional Use pursuant to CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR. Use of the subject property shall be limited to an approximately 73, 814 square foot hotel with no more than a total of 120 guest rooms and suites within the third to ninth floors with ancillary uses not to exceed the square footage and seats as follows: (a) a 2,150 square foot ground floor lobby and bar/lounge; (b) on the eighth floor (i) an approximately 1,749 square foot kitchen; (ii) an approximately 4,994 square foot banquet/ballroom facility and ancillary terraces with a total of 264 seats; (iii) an approximately 2,318 square foot courtyard with 18 seats; and (iv) two hotel suites totaling approximately 1,679 square feet.

   The mezzanine located between the eighth and ninth floors shall contain no more than: (i) approximately 1,276 square feet of restrooms and open mezzanine area overlooking the main eighth floor; and (ii) mezzanine space for the two hotel suites on the eighth floor totaling approximately 844 square feet.

   The ninth floor, roof-top level shall contain no more than an approximately 10,565 square feet multi-purpose covered and open pool deck with seating for no more than 250 patrons as follows: (i) an approximately 1,993 square foot covered restaurant and ancillarybar with a total of approximately 98 seats; (ii) 295 square feet of kitchen space to serve the restaurant; (iii) approximately 3,156 square feet of open pool and patio area with space for 26 seats; (iv) 290 square feet of covered cabanas with seating for 20 patrons; and (v) an open roof-top lounge comprised of approximately 2,387 square feet and 61 seats; and (vi) an additional 2,118 square foot open air wedding garden with 250 seats and ancillary changing rooms containing 326 square feet.

2. Hours of Operation. The hotel shall be permitted to operate 24 hours per day, 7 days per week. The hotel's ballroom, restaurant, lobby bar area, and rooftop bar area's shall be open to the general public and permitted to operate from 7:00 a.m. to 4:00 a.m. daily, subject to the following conditions: (i) the rooftop pool area shall only be accessible to hotel guests between the hours of 7:00 a.m. and 10:00 a.m.; (ii) the hotel's rooftop bar and lounge shall cease normal operation at or before 2:00 a.m., but can be utilized as a smoking area without music until 4:00 a.m. (iii) the hotel's restaurant may provide room service to hotel guests at all hours.

3. Height. The height of the hotel shall not exceed nine stories or 125 feet, as defined by Municipal Code Sections 12.03 and as modified by Sections 12.21.1.B3(a) and (b) of the Code. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.

4. Floor Area Ratio (F.A.R.). The total floor area of the hotel shall not exceed 5.3:1. If the adjoining alley is vacated, then the FAR shall not exceed 4.5:1.

5. Green Building. Prior to the issuance of any permits for the subject project, the applicant shall register the project with the Leadership in Energy and Environmental Design (LEED) Green Building Rating System for LEED certification. The project shall meet the current

LEED 2.2 prerequisites and performance benchmarks (credits) so that it meets the Silver level of certification per the most applicable LEED rating systems (NC, EB, C&S, CI, Home, ND).

At the time of submittal for Planning Department approvals, the applicant shall submit evidence of LEED registration and an completed LEED checklist that identifies what credits are likely possible, and not likely for the project to achieve.

An updated version of the checklist shall be submitted in conjunction with the Plan Check application. A final checklist, signed by the applicant and architect of record shall be submitted, prior to issuance of the Certificate of Occupancy.

A certificate from the US Green Building Council stating the project's level of certification shall be provided to the Planning Department, no more than 18 months after the date that the project receives certificate of occupancy.

6. Site Plan. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit B1, dated March 13, 2008, and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department.

7. Parking. The Hotel shall provide a minimum of 107 parking spaces.

8. No patrons of the hotel shall self-park their cars in the garage other than through valet parking.

9. TDM Measures. As per Section 12.26 J.1.3 (b) of the LAMC for development in excess of 50,000 square feet of new non-residential gross floor area, the owner shall provide a bulletin board, display case, or kiosk (displaying transportation information) where the greatest number of employees are likely to see it. The transportation information displayedshould include, but is not limited to, the following:

   (1) Current routes and schedules for public transit serving the site;
   (2) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operations;
   (3) Ridesharing promotion material supplied by commuter-oriented organizations;
   (4) Regional/local bicycle route and facility information;
   (5) A listing of on-site services or facilities which are available for carpoolers, vanpoolers, bicyclists, and transit riders.
   (6) A designated parking area for employee carpools and vanpools as close as practical to the main pedestrian entrance(s) of the building(s). This area shall include at least ten percent of the parking spaces required for the site. The spaces shall be signed and striped sufficient to meet the employee demand for such spaces. The carpool/vanpool parking area shall be identified on the driveway and circulation plan upon application for a building permit;
   (7) One permanent, clearly identified (signed and striped) ridesharing carpool/vanpool parking space for the first 50,000 to 100,000 square feet of gross floor area.
   (8) Parking spaces clearly identified (signed and striped) shall be provided in the designated carpool/vanpool parking area at any time during the building's occupancy sufficient to meet employee demand for such spaces. Absent such demand, parking spaces within the designated carpool/vanpool parking area may be used by other vehicles;

(9) No signed and striped parking spaces for carpool/vanpool parking shall displace any handicapped parking;
(10) A statement that preferential carpool/vanpool spaces are available on-site and a description of the method for obtaining permission to use such spaces shall be included on the required transportation information board;
(11) A minimum vertical clearance of 7 feet 2 inches shall be provided for all parking spaces and accessways used by vanpool vehicles when located within a parking structure;
(12) Bicycle parking shall be provided in conformance with Section 12.21A16 of this Code.

10. If the adjoining L-Shape alley is vacated, it shall be improved with cobblestone walkways, street furniture, architectural treatment such as window boxes or kiosks and landscaped areas, to the satisfaction of the Planning Department.

11. Related Conditional Use and Variances. The applicant or any successor in interest shall comply with all conditions of approval contained in Case No. CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR, to the satisfaction of the Planning Department.

B. Environmental Conditions

12. Graffiti. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

13. Air Pollution (Stationary). The applicant shall install an air filtration system to reduce the diminished air quality effects on occupants of the project.

14. On-site signs shall be limited to the maximum allowable under Los Angeles Municipal Code Section 91.6205. Multiple temporary signs in the store windows and along the building walls are prohibited.

15. Cultural Resources (Archaeological). The Project Developer shall include in construction contracts the following requirements:

a. If any archaeological materials are encountered during the course of Project development, the Project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact.

b. Copies of the archaeological survey, study, or report shall be submitted to the UCLA Archaeological Information Center.

c. If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of Los Angeles Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

d. A covenant and agreement acknowledging these conditions shall be recorded prior to obtaining a grading permit.

16. Cultural Resources (Paleontological). The Project Developer shall include in construction contracts the following requirements:

a. If any paleontological materials are encountered during the course of the Project development, construction activities in these areas shall be temporarily halted.

b. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, which can be found at the following universities: USC, UCLA, California State University at Los Angeles, California State University at Long Beach or the County Museum, to assess the resources and evaluate the impact.

c. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum.

d. A covenant and agreement acknowledging these conditions shall be recorded prior to obtaining a grading permit.

17. All asbestos containing materials (ACMs) present in existing on-site structures shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations. Prior to the issuance of the demolition permit, the Project Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant stating that no ACMs remain in any existing on-site structures

18. A licensed Lead-Based Paint (LBP) Inspector shall be retained to determine the presence of LBP and lead-based paint containing materials (LBPCM) within structures to be demolished on the Project Site, consistent with the 1994 Federal Occupational Exposure to Asbestos Standards, Occupational Safety and Health Administration, 29 CFR 1910.1001, 1926.1101, and 1915.1001. The Project Applicant shall be required to comply with all applicable State and Federal policies and procedures for removal of LBPCM present on the Project Site. MM-12.

19. Air Quality (Construction). The Project Developer shall implement measures to reduce the emission of pollutants generated throughout the Project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD and the Department of Building and Safety at the time of development. Examples of the types of measures currently required and recommended include the following:

a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.

b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

d. All materials transported off-site shall be either sufficiently watered or securely covered to

prevent excessive amounts of dust.

e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e. greater than 15 mph), so as to prevent excessive amounts of dust.

f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

20. Noise. The Project Developer shall implement the following measures to limit the noise impacts of construction:

a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

b. Hours of excavation, hauling and open air construction shall be limited to the hours of 9:00 AM to 6:00 PM Monday through Saturday. Vans transporting construction workers may arrive at the project site no earlier than 8:30 AM so that actual construction may begin at 9:00 AM. Interior construction (after the building is fully enclosed) may operate 8:00 AM to 7:00 PM Monday through Saturday. Vans transporting construction workers for interior construction may arrive at the project site no earlier than 7:30 AM Monday through Friday and 8:00 AM on Saturdays.

c. Construction and demolition activities shall be scheduled so as to avoidoperating several pieces of equipment simultaneously, which causes high noise levels.

d. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

e. The Project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

21. Grading. The Project Developer shall implement the following measures to limit the grading impacts of construction:

a. These conditions are in addition to those restrictions found in Chapter IX, Division 70 of the Los Angeles Municipal Code and as otherwise ordered by the Department of Building and Safety.

b. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion of dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

c. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Department of Building and Safety. These measures includeinterceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

d. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

e. All waste shall be disposed of properly. The Project Developer shall use appropriately labeled recycling bins to recycle construction materials including: solvents, water based

paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed and regulated disposal site.

f. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

g. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.

h. Dumpsters shall be covered and maintained. The Project Developer shall place uncovered dumpsters under a roof or cover with tarps of plastic sheeting.

i. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into the streets.

j. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip plans or drop clothes shall be used to catch drips and spills.

22. Water Quality. The Project Developer shall comply with ordinance No. 172,176 and Ordinance No. 173,494 Stormwater and Urban Runoff Pollution Control which requires Best Management Practices (BMPs); Chapter IX, Division 70 of the Los Angeles Municipal Code regarding grading, excavations and fills; and the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board, including the following:

a. Implement stormwater BMPs to retain or treat the runoff from a storm event producing ¾ inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

b. Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
d. All construction equipment and vehicles shall be inspected for leaks and repaired according to a regular schedule.
e. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
f. The owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
g. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or covered with tarps or plastic sheeting.
h. Appropriate dust suppression techniques, such as watering ortarping, shall be used.
i. Construction entrances shall be designed to facilitate removal of debris from vehicles exiting the site.
j. In addition to the following provisions, the Applicant shall meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board (a copy of the SUSMP can be downloaded at:

http://www.swrcb.ca.gov/rwqcb4/).

k. Prescriptive methods detailing BMPs specific to the "Restaurant" project category are available. The applicant shall incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.

l. The project applicant shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.

m. The project applicant shall implement stormwater BMPs such that post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.

n. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

o. Cleaning of oily vents and equipment shall be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit shall be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads shall be replaced regularly according to manufacturer's specifications.

p. Trash dumpsters shall be stored either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.

q. Reduce and recycle wastes, including oil and grease.

r. Liquid storage tanks (drums and dumpsters) shall be stored in designated paved areas with impervious surfaces in order to contain leaks and spills. A secondary containment system such as berms, curbs, or dikes shall be installed. Drip pans or absorbent materials shall be used whenever grease containers are emptied.

s. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.

t. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

u. Storage areas must be paved and sufficiently impervious to contain leaks and spills.

v. Storage areas must have a roof or awning to minimize collection of stormwater within the secondary containment area.

23. Parking Structure Ramps. Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

24. The Project Applicant shall submit plot plans to the Los Angeles Police Department's Crime Prevention Section for review and comment. Plans shall include access routes, floor plans, and any other additional information that might facilitate prompt and efficient police response. Security features recommended by the LAPD shall be implemented to the extent feasible.

25. The Security Plan shall incorporate low-level and directional security lighting features to effectively illuminate project entryways, seating areas, lobbies, elevators, locker rooms, service areas, and parking areas with good illumination and minimum dead space to eliminate areas of concealment. Full cut-off fixtures shall be installed that minimize glare from the light source and provide light downward and inward to structures to maximize visibility.

26. Solid Waste. The developer shall institute a recycling program to the satisfaction of the Planning Department to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.

C. Other Conditions

27. Posting of Construction Activities. The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.

28. Construction-related Parking. Off-street parking shall be provided for all construction-related parking generated by employees of the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

29. Truck Traffic Restricted Hours. Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. After construction on the site is completed, truck delivery shall be limited to the hours between 7 a.m. and 9 a.m., seven days a week in the adjoining alley only.

30. Maintenance. The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

31. Dust Walls. Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted.

32. Upon commencement of construction activities on the site, the Applicant shall cooperate with the Cahuenga Corridor Valet Parking Working Group; and upon commencement of commercial operations, the applicant shall provide a monthly calendar of events to the Los Angeles Police Department, Wilcox Station, as requested by Council District 13, and agreed to by the applicant at the City Planning Commission meeting on July 24, 2008.

D. Administrative Conditions

33. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

34. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

35. Covenant. Prior to the issuance of any permits relative to this matter, an agreement

concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

36. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

37. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

38. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

39. Corrective Conditions. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

40. Idemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

41. Utilization of Concurrent Entitlement. The subject Zone Change, Conditional Use, Zone Variance, and Site Plan Review require completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of six years from the effective date of the subject Zone Change approval to effectuate the terms of the Zone Change; a period of two years from the effective date of the subject approvals to effectuate the terms of the Zone Variance entitlements, and two years and an additional year to effectuate the Conditional Use and Beverage Plan Approval entitlements by either securing a building permit or a Certificate of Occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

Thereafter, these enumerated entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

"D" DEVELOPMENT CONDITIONS

Section 3. Pursuant to Section 12.32 H of the Municipal Code, the following limitations are herby imposed upon the use of the subject property, subject to the "D" Development classification.

Floor Area Ratio (F.A.R.). The total allowable floor area for the entire site shall not exceed 73, 814 square feet or exceed a FAR of 5:3:1, as approved under Case No. CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of NOV 18 2008.

KAREN E. KALFAYAN, Interim City Clerk

By _____
Deputy

Approved NOV 25 2008

_____
Mayor

**Pursuant to Section 558 of the City Charter,
the City Planning Commission on July 24, 2008,
recommended this ordinance be adopted by the City Council.**

_____
**Lourdes Sanchez, Commission Executive Assistant I
City Planning Commission**

File No. 08-2817

DECLARATION OF POSTING ORDINANCE

I, MARIA C. RICO, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 180381 – Zone and Height District change for property at 6415 West Selma Avenue – CPC 2007-3931-ZC-HD-CUB-ZV-SPR - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on **November 18, 2008**, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on **December 3, 2008** I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Hall of Records of the County of Los Angeles.

Copies of said ordinance were posted conspicuously beginning on **December 3, 2008** and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this **3rd** day of **December 2008** at Los Angeles, California.

Maria C. Rico, Deputy City Clerk

Ordinance Effective Date: January 12, 2009 **Council File No. 08-2817**

Rev. (2/21/06)

EXHIBIT D

Los Angeles City Planning Commission

200 North Spring Street, Room 272, City Hall, Los Angeles, CA 90012
www.cityofla.org/PLN/index.htm

Determination Mailing Date: SEP 17 2008

CASE NO. CPC 2007-3931-ZC-HD-CUB-ZV-SPR
Location: 6415 W. Selma Avenue
Council District: No. 13
Plan Area: Hollywood
Request(s): Zone Change, Height District Change, Conditional Use, Zone Variance, Site Plan Review

Applicant: 6417 Selma LLC, Richard Heyman

At its meeting on July 24, 2008, the following action was taken by the City Planning Commission:

1. **Approved** and **Recommended** that the City Council adopt a **Zone** and **Height District Change** from C4-2-D-SN to (T)(Q)C4-2-SN to remove a "D" limitation of 2:1 and allow a FAR of 5.3:1.
2. **Approved** a **Conditional Use Plan Approval** to permit the on-site sale and consumption of a full line of alcoholic beverages in conjunction with the proposed hotel at the following locations: (1) first floor lobby bar; (2) 8th floor banquet facility with reception/courtyard area; (3) rooftop including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area; (4) controlled-access liquor cabinets to be located within the hotel rooms, and (5) the on site sale of a full line of alcoholic beverages by way of room service.
3. **Approved** a **Conditional Use Permit** to permit live entertainment and patron dancing.
4. **Approved** a **Variance** to permit the consumption of food and beverages, including alcohol, to take place outdoors on the 8th floor and the rooftop area in lieu of being conducted in a ground floor restaurant or entirely within a completely enclosed building as is otherwise required.
5. **Approved** a **Variance** to permit deviations Section 12.21.A.5 to parking facility design requirements and regulations including increased number of compact spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius in order to use the existing warehouse for parking purposes.
6. **Approved** the **Site Plan Review**.
7. **Adopted** the attached Findings.
8. **Adopted** Mitigated Negative Declaration No. ENV 2007-3932-MND.
9. **Recommended** that the applicant be advised that time limits for effectuation of a zone in the "T" Tentative classification or "Q" Qualified classification are specified in Section 12.32.G of the Municipal Code, conditions must be satisfied prior to the issuance of building permits, and that the "T" Tentative classification be removed in the manner indicated on the attached page.
10. **Advised** the applicant that, pursuant to State Fish and Game Code Section 711.4, a Fish and Game fee and / or Certificate of Fee Exemption is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

This action was taken by the following vote:

Moved: Lara
Seconded: Roschen
Ayes: Cardoso, Hughes, Usher
Absent: Freer, Fr. Kezios, Montanez, Woo

Vote: 5-0

Lourdes, Commission Executive Assistant I
City Planning Commission

Appeals: If the Commission has disapproved the zone change request, in whole or in part, only the applicant may appeal that disapproval to the Council within 20 days after the mailing date of this determination. Any aggrieved party may appeal the Commission's grant of the Zone Variances and its action on the Height District Change, Conditional Uses and Site Plan Approval to the Council within 20 days after the mailing date of this determination. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.

FINAL APPEAL DATE OCT 07 2008

The time in which a party may seek judicial review of this determination is governed by California Code of Civil Procedure Section 1094.6. Under that provision, a petitioner may seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, only if the petition for writ of mandate pursuant to that section is filed no later than the 90th day following the date on which the City's decision becomes final.

Attachments: Conditions, Ordinance, Map, Findings.

C: Notification List
Madhu Kumar, Planner

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32 G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies, as may be necessary).

1. Responsibilities/Guarantees.

   a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

   b. Prior to issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

2. Transportation Dedications. The applicant shall consult with the Bureau of Engineering and the Department of Transportation (DOT) for any dedications. These requirements must be guaranteed before the issuance of any building permit through the B-permit process of the Bureau of Engineering, department of Public Works. Any dedication must be completed prior to issuance of any Certificate of Occupancy to the satisfaction of the Bureau of Engineering.

   The dedications and improvements shall include, but not be limited to, the following:

   Improvements Required:

   Selma Avenue – Repair any broken, off-grade or bad order concrete curb, gutter, and concrete sidewalk to the satisfaction of the City Engineer.

   L-Shape Alley – Repair and or replace missing, broken and off-grade asphalt concrete pavement to the satisfaction of the City Engineer.

3. Street Lighting. To the satisfaction of the Bureau of Street Lighting, if new street light(s) are required, the property within the boundary of the development shall be formed or annexed into a Street Lighting Maintenance Assessment District prior to final recordation or issuance of the Certificate of Occupancy.

4. Street Trees. If determined necessary, construct tree wells and plant street trees satisfactory to the City Engineer and the Urban Forestry (213) 847-0833 of the Bureau of Street Services.

5. Sewers. If determined necessary, construct sewers to the satisfaction of the City Engineer.

6. Parking/Driveway Plan. Submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation, Construction Services Counter (Station 23 at 201 North Figueroa Street, third floor), prior to the issuance of a building permit. A parking area and driveway plan may be submitted to the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Final DOT approval should be accomplished by submitting detailed site/driveway plans at a scale of 1"=40' and proper documentation verifying the existing or previous use, square footage

   a. A minimum of 40-foot reservoir space be provided between any security gates and the property line.

   b. Parking stalls shall be designed so that a vehicle is not required to back out onto any public street or sidewalk.

7. Cable Television. The applicant shall make necessary arrangements with the appropriate cable television franchise holder to assure that cable television facilities will be installed in City rights-of-way in the same manner as is required of other facilities, pursuant to Municipal Code Section 17.05 N, to the satisfaction of the Department of Telecommunications.

8. Prior to issuance of a clearance letter, all engineering fees pertaining to Ordinance 171,502 adopted by the City Council must be paid in full.

9. Fire Safety. The requirements of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the issuance of any building permit. The plot plan shall include the following minimum design features:

   a. Fire lanes, where required, shall be a minimum of 20-feet in width;

   b. All structures shall be within 300-feet of an approved fire hydrant. Distance shall be computed along path of travel. Exception: Dwelling unit travel distance shall be computed to front door of unit.

   c. Entrances to any dwelling unit or guest room shall not be more than 150-feet in distance in horizontal travel from the edge of the roadway of an improved street or approved fire lane.

   d. All structures should be fully sprinklered.

   e. Adequate public and private fire hydrants shall be required.

   f. Access for Fire Department apparatus and personnel to and into all structures shall be required.

   g. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

   h. No framing shall be allowed until the roadway is installed to the satisfaction of the Fire Department.

i. Any required fire hydrants to be installed shall be fully operational and accepted by the Fire Department prior to any building construction.

j. Private streets shall be recorded as Private Streets, AND Fire Lane. All private street plans shall show the words "Private Street and Fire Lane" within the private street easement.

k. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

l. Where rescue window access is required, provide conditions and improvements necessary to meet accessibility standards as determined by the Los Angeles Fire Department.

10. Police. The requirements of the Police Department relative to public safety and crime prevention shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Police Department either prior to the issuance of any building permit.

11. Recreation and Parks. Per Section 12.33 of the Municipal Code, the applicant shall dedicate land for park or recreational purposes and/or pay the applicable Quimby fees for the construction of condominiums, or Recreation and Park fees for construction of apartment buildings.

12. School District Fees. The Project Applicant shall pay all applicable school fees to the Los Angeles Unified School District to offset the impact of additional student enrollment at schools serving the Project area.

13. Covenant: Prior to the issuance of any permits relative to this matter, an agreement concerning off the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heir, or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a Certified Copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

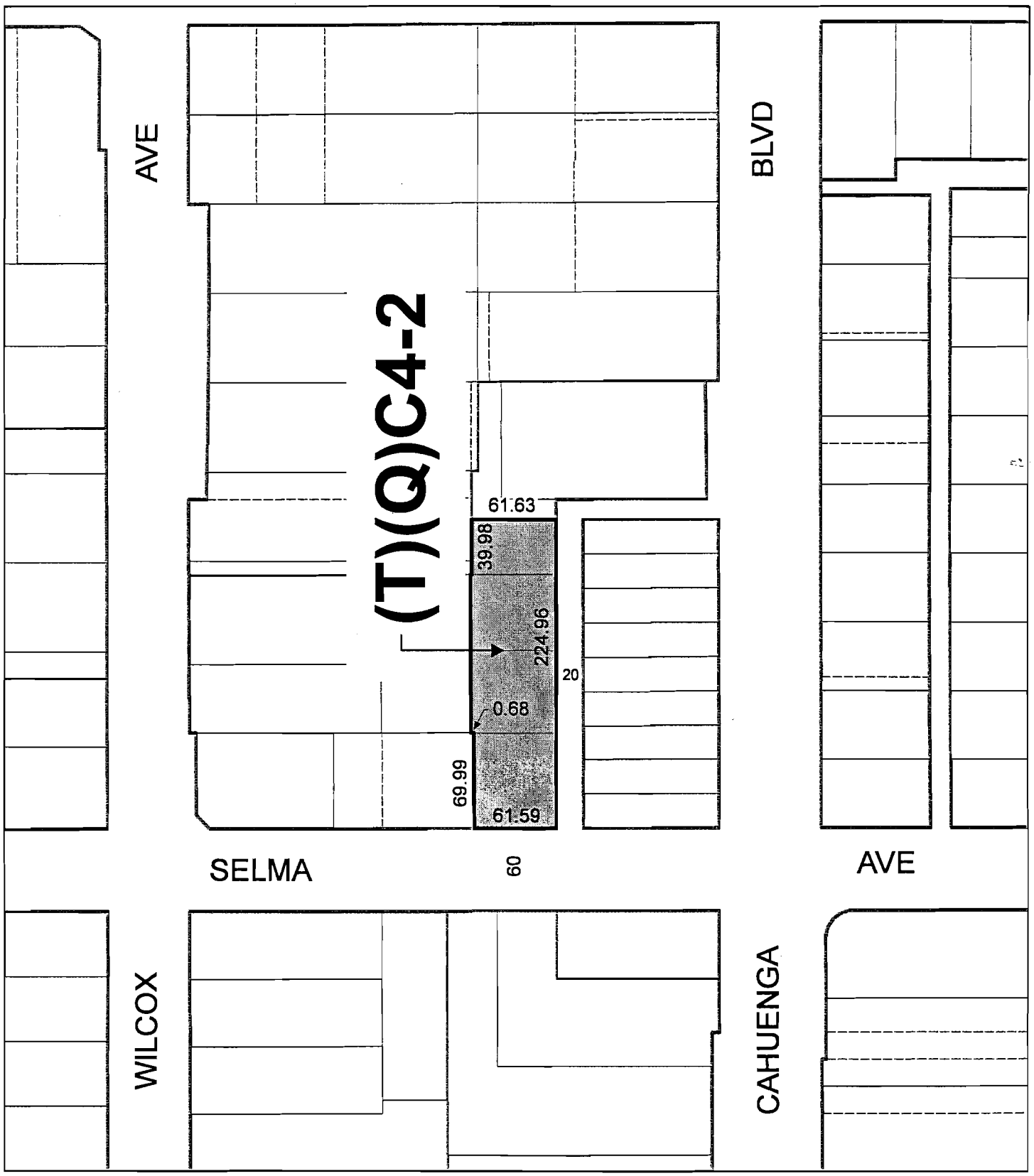
Notice: Certificates of Occupancies for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

ORDINANCE NO. _____

An ordinance amending Section .12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



1 inch equals 100 feet

C.M. 148.5 A 187	CPC 2007-3931-ZC-HD-CUB-ZV-SPR

AA/as

8/20/08

DATA SOURCES: DEPARTMENT OF CITY PLANNING - BUREAU OF ENGINEERING

(Q) QUALIFIED CONDITIONS OF APPROVAL

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Entitlement Conditions

1. Use. The use and area regulations of the subject property shall be limited to the provisions of the C4-2-SN Zone as defined in Section 12.16 of the LAMC, except as modified herein, by the Variances and Conditional Use pursuant to CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR. Use of the subject property shall be limited to an approximately 73, 814 square foot hotel with no more than a total of 120 guest rooms and suites within the third to ninth floors with ancillary uses not to exceed the square footage and seats as follows: (a) a 2,150 square foot ground floor lobby and bar/lounge; (b) on the eighth floor (i) an approximately 1,749 square foot kitchen; (ii) an approximately 4,994 square foot banquet/ballroom facility and ancillary terraces with a total of 264 seats; (iii) an approximately 2,318 square foot courtyard with 18 seats; and (iv) two hotel suites totaling approximately 1,679 square feet.

   The mezzanine located between the eighth and ninth floors shall contain no more than: (i) approximately 1,276 square feet of restrooms and open mezzanine area overlooking the main eighth floor; and (ii) mezzanine space for the two hotel suites on the eighth floor totaling approximately 844 square feet.

   The ninth floor, roof-top level shall contain no more than an approximately 10,565 square feet multi-purpose covered and open pool deck with seating for no more than 250 patrons as follows: (i) an approximately 1,993 square foot covered restaurant and ancillarybar with a total of approximately 98 seats; (ii) 295 square feet of kitchen space to serve the restaurant; (iii) approximately 3,156 square feet of open pool and patio area with space for 26 seats; (iv) 290 square feet of covered cabanas with seating for 20 patrons; and (v) an open roof-top lounge comprised of approximately 2,387 square feet and 61 seats; and (vi) an additional 2,118 square foot open air wedding garden with 250 seats and ancillary changing rooms containing 326 square feet.

2. Hours of Operation. The hotel shall be permitted to operate 24 hours per day, 7 days per week. The hotel's ballroom, restaurant, lobby bar area, and rooftop bar area's shall be open to the general public and permitted to operate from 7:00 a.m. to 4:00 a.m. daily, subject to the following conditions: (i) the rooftop pool area shall only be accessible to hotel guests between the hours of 7:00 a.m. and 10:00 a.m.; (ii) the hotel's rooftop bar and lounge shall cease normal operation at or before 2:00 a.m., but can be utilized as a smoking area without music until 4:00 a.m. (iii) the hotel's restaurant may provide room service to hotel guests at all hours.

3. Height. The height of the hotel shall not exceed nine stories or 125 feet, as defined by Municipal Code Sections 12.03 and as modified by Sections 12.21.1.B3(a) and (b) of the Code. Any structures on the roof, such as air condition units and other equipment, shall be fully screened from view of any abutting properties.

4. Floor Area Ratio (F.A.R.). The total floor area of the hotel shall not exceed 5.3:1. If the adjoining alley is vacated, then the FAR shall not exceed 4.5:1.

5. Green Building. Prior to the issuance of any permits for the subject project, the applicant shall register the project with the Leadership in Energy and Environmental Design (LEED) Green Building Rating System for LEED certification. The project shall meet the current

LEED 2.2 prerequisites and performance benchmarks (credits) so that it meets the Silver level of certification per the most applicable LEED rating systems (NC, EB, C&S, CI, Home, ND).

At the time of submittal for Planning Department approvals, the applicant shall submit evidence of LEED registration and an completed LEED checklist that identifies what credits are likely possible, and not likely for the project to achieve.

An updated version of the checklist shall be submitted in conjunction with the Plan Check application. A final checklist, signed by the applicant and architect of record shall be submitted, prior to issuance of the Certificate of Occupancy.

A certificate from the US Green Building Council stating the project's level of certification shall be provided to the Planning Department, no more than 18 months after the date that the project receives certificate of occupancy.

6. Site Plan. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit B1, dated March 13, 2008, and attached to the subject City Plan Case file. Prior to the issuance of building permits, revised, detailed development plans that show compliance with all conditions of approval, including complete landscape and irrigation plans, shall be submitted to the satisfaction of the Planning Department.

7. Parking. The Hotel shall provide a minimum of 107 parking spaces.

8. No patrons of the hotel shall self-park their cars in the garage other than through valet parking.

9. TDM Measures. As per Section 12.26 J.1.3 (b) of the LAMC for development in excess of 50,000 square feet of new non-residential gross floor area, the owner shall provide a bulletin board, display case, or kiosk (displaying transportation information) where the greatest number of employees are likely to see it. The transportation information displayedshould include, but is not limited to, the following:

   (1) Current routes and schedules for public transit serving the site;
   (2) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency and local transit operations;
   (3) Ridesharing promotion material supplied by commuter-oriented organizations;
   (4) Regional/local bicycle route and facility information;
   (5) A listing of on-site services or facilities which are available for carpoolers, vanpoolers, bicyclists, and transit riders.
   (6) A designated parking area for employee carpools and vanpools as close as practical to the main pedestrian entrance(s) of the building(s). This area shall include at least ten percent of the parking spaces required for the site. The spaces shall be signed and striped sufficient to meet the employee demand for such spaces. The carpool/vanpool parking area shall be identified on the driveway and circulation plan upon application for a building permit;
   (7) One permanent, clearly identified (signed and striped) ridesharing carpool/vanpool parking space for the first 50,000 to 100,000 square feet of gross floor area.
   (8) Parking spaces clearly identified (signed and striped) shall be provided in the designated carpool/vanpool parking area at any time during the building's occupancy sufficient to meet employee demand for such spaces. Absent such demand, parking spaces within the designated carpool/vanpool parking area may be used by other vehicles;

(9) No signed and striped parking spaces for carpool/vanpool parking shall displace any handicapped parking;
(10) A statement that preferential carpool/vanpool spaces are available on-site and a description of the method for obtaining permission to use such spaces shall be included on the required transportation information board;
(11) A minimum vertical clearance of 7 feet 2 inches shall be provided for all parking spaces and accessways used by vanpool vehicles when located within a parking structure;
(12) Bicycle parking shall be provided in conformance with Section 12.21A16 of this Code.

10. If the adjoining L-Shape alley is vacated, it shall be improved with cobblestone walkways, street furniture, architectural treatment such as window boxes or kiosks and landscaped areas, to the satisfaction of the Planning Department.

11. Related Conditional Use and Variances. The applicant or any successor in interest shall comply with all conditions of approval contained in Case No. CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR, to the satisfaction of the Planning Department.

B. Environmental Conditions

12. Graffiti. The owners shall maintain the subject property clean and free of debris and rubbish and to promptly remove any graffiti from the walls, pursuant to Municipal Code Sections 91.8101-F, 91.8904-1 and 91.1707-E. Exterior walls of new commercial and residential buildings of other than glass may be covered with clinging vines, screened by oleander trees or similar vegetation capable of covering or screening entire walls up to heights of at least 9-feet, excluding windows and signs.

13. Air Pollution (Stationary). The applicant shall install an air filtration system to reduce the diminished air quality effects on occupants of the project.

14. On-site signs shall be limited to the maximum allowable under Los Angeles Municipal Code Section 91.6205. Multiple temporary signs in the store windows and along the building walls are prohibited.

15. Cultural Resources (Archaeological). The Project Developer shall include in construction contracts the following requirements:

a. If any archaeological materials are encountered during the course of Project development, the Project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology – California State University Fullerton, or a member of the Society of Professional Archaeologists (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact.

b. Copies of the archaeological survey, study, or report shall be submitted to the UCLA Archaeological Information Center.

c. If human remains are discovered at the Project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of Los Angeles Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

d. A covenant and agreement acknowledging these conditions shall be recorded prior to obtaining a grading permit.

16. Cultural Resources (Paleontological). The Project Developer shall include in construction contracts the following requirements:

a. If any paleontological materials are encountered during the course of the Project development, construction activities in these areas shall be temporarily halted.

b. The services of a paleontologist shall be secured by contacting the Center for Public Paleontology, which can be found at the following universities: USC, UCLA, California State University at Los Angeles, California State University at Long Beach or the County Museum, to assess the resources and evaluate the impact.

c. Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum.

d. A covenant and agreement acknowledging these conditions shall be recorded prior to obtaining a grading permit.

17. All asbestos containing materials (ACMs) present in existing on-site structures shall be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other state and federal rules and regulations. Prior to the issuance of the demolition permit, the Project Applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant stating that no ACMs remain in any existing on-site structures

18. A licensed Lead-Based Paint (LBP) Inspector shall be retained to determine the presence of LBP and lead-based paint containing materials (LBPCM) within structures to be demolished on the Project Site, consistent with the 1994 Federal Occupational Exposure to Asbestos Standards, Occupational Safety and Health Administration, 29 CFR 1910.1001, 1926.1101, and 1915.1001. The Project Applicant shall be required to comply with all applicable State and Federal policies and procedures for removal of LBPCM present on the Project Site. MM-12.

19. Air Quality (Construction). The Project Developer shall implement measures to reduce the emission of pollutants generated throughout the Project construction phases. The Project Developer shall include in construction contracts the control measures required and recommended by the SCAQMD and the Department of Building and Safety at the time of development. Examples of the types of measures currently required and recommended include the following:

a. All unpaved demolition and construction areas shall be wetted at least twice daily during excavation and construction, and temporary dust covers shall be used to reduce dust emissions and meet SCAQMD District Rule 403.

b. The owner or contractor shall keep the construction area sufficiently dampened to control dust caused by grading and hauling, and at all times provide reasonable control of dust caused by wind.

c. All loads shall be secured by trimming, watering or other appropriate means to prevent spillage and dust.

d. All materials transported off-site shall be either sufficiently watered or securely covered to

prevent excessive amounts of dust.

e. All clearing, grading, earth moving, or excavation activities shall be discontinued during periods of high winds (i.e. greater than 15 mph), so as to prevent excessive amounts of dust.

f. General contractors shall maintain and operate construction equipment so as to minimize exhaust emissions.

20. Noise. The Project Developer shall implement the following measures to limit the noise impacts of construction:

a. The Project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

b. Hours of excavation, hauling and open air construction shall be limited to the hours of 9:00 AM to 6:00 PM Monday through Saturday. Vans transporting construction workers may arrive at the project site no earlier than 8:30 AM so that actual construction may begin at 9:00 AM. Interior construction (after the building is fully enclosed) may operate 8:00 AM to 7:00 PM Monday through Saturday. Vans transporting construction workers for interior construction may arrive at the project site no earlier than 7:30 AM Monday through Friday and 8:00 AM on Saturdays.

c. Construction and demolition activities shall be scheduled so as to avoidoperating several pieces of equipment simultaneously, which causes high noise levels.

d. The Project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

e. The Project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.

21. Grading. The Project Developer shall implement the following measures to limit the grading impacts of construction:

a. These conditions are in addition to those restrictions found in Chapter IX, Division 70 of the Los Angeles Municipal Code and as otherwise ordered by the Department of Building and Safety.

b. Excavation and grading activities shall be scheduled during dry weather periods. If grading occurs during the rainy season (October 15 through April 1), diversion of dikes shall be constructed to channel runoff around the site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

c. Appropriate erosion control and drainage devices shall be provided to the satisfaction of the Department of Building and Safety. These measures includeinterceptor terraces, berms, vee-channels, and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, including planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

d. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

e. All waste shall be disposed of properly. The Project Developer shall use appropriately labeled recycling bins to recycle construction materials including: solvents, water based

paints, vehicle fluids, broken asphalt and concrete, wood, and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed and regulated disposal site.

f. Leaks, drips and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.

g. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.

h. Dumpsters shall be covered and maintained. The Project Developer shall place uncovered dumpsters under a roof or cover with tarps of plastic sheeting.

i. Where truck traffic is frequent, gravel approaches shall be used to reduce soil compaction and limit the tracking of sediment into the streets.

j. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip plans or drop clothes shall be used to catch drips and spills.

22. Water Quality. The Project Developer shall comply with ordinance No. 172,176 and Ordinance No. 173,494 Stormwater and Urban Runoff Pollution Control which requires Best Management Practices (BMPs); Chapter IX, Division 70 of the Los Angeles Municipal Code regarding grading, excavations and fills; and the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by the Los Angeles Regional Water Quality Control Board, including the following:

a. Implement stormwater BMPs to retain or treat the runoff from a storm event producing ¾ inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

b. Leaks, drips, and spills shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
c. Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
d. All construction equipment and vehicles shall be inspected for leaks and repaired according to a regular schedule.
e. All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
f. The owner(s) of the property shall prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and/or per manufacturer's instructions.
g. Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or covered with tarps or plastic sheeting.
h. Appropriate dust suppression techniques, such as watering ortarping, shall be used.
i. Construction entrances shall be designed to facilitate removal of debris from vehicles exiting the site.
j. In addition to the following provisions, the Applicant shall meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board (a copy of the SUSMP can be downloaded at:

http://www.swrcb.ca.gov/rwqcb4/).

k. Prescriptive methods detailing BMPs specific to the "Restaurant" project category are available. The applicant shall incorporate the prescriptive methods into the design plans. These Prescriptive Methods can be obtained at the Public Counter or downloaded from the City's website at www.lastormwater.org.

l. The project applicant shall implement stormwater BMPs to retain or treat the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard shall be required.

m. The project applicant shall implement stormwater BMPs such that post development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate for developments where the increase peak stormwater discharge rate will result in increased potential for downstream erosion.

n. Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.

o. Cleaning of oily vents and equipment shall be performed within designated covered area, sloped for wash water collection, and with a pretreatment facility for wash water before discharging to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit shall be: designed to handle the quantity of flows; removed for cleaning on a regular basis to remove any solids; and the oil absorbent pads shall be replaced regularly according to manufacturer's specifications.

p. Trash dumpsters shall be stored either under cover and with drains routed to the sanitary sewer or use non-leaking and water tight dumpsters with lids. Wash containers in an area with properly connected sanitary sewer.

q. Reduce and recycle wastes, including oil and grease.

r. Liquid storage tanks (drums and dumpsters) shall be stored in designated paved areas with impervious surfaces in order to contain leaks and spills. A secondary containment system such as berms, curbs, or dikes shall be installed. Drip pans or absorbent materials shall be used whenever grease containers are emptied.

s. All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as "NO DUMPING - DRAINS TO OCEAN") and/or graphical icons to discourage illegal dumping.

t. Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.

u. Storage areas must be paved and sufficiently impervious to contain leaks and spills.

v. Storage areas must have a roof or awning to minimize collection of stormwater within the secondary containment area.

23. Parking Structure Ramps. Concrete, not metal, shall be used for construction of parking ramps. The interior ramps shall be textured to prevent tire squeal at turning areas.

24. The Project Applicant shall submit plot plans to the Los Angeles Police Department's Crime Prevention Section for review and comment. Plans shall include access routes, floor plans, and any other additional information that might facilitate prompt and efficient police response. Security features recommended by the LAPD shall be implemented to the extent feasible.

25. The Security Plan shall incorporate low-level and directional security lighting features to effectively illuminate project entryways, seating areas, lobbies, elevators, locker rooms, service areas, and parking areas with good illumination and minimum dead space to eliminate areas of concealment. Full cut-off fixtures shall be installed that minimize glare from the light source and provide light downward and inward to structures to maximize visibility.

26. Solid Waste. The developer shall institute a recycling program to the satisfaction of the Planning Department to reduce the volume of solid waste going to landfills. Recycling bins shall be provided at appropriate locations to promote recycling of paper, metal, glass, and other recyclable material. These bins shall be picked up no less than once a week as a part of the project's regular trash pick-up program.

C. Other Conditions

27. Posting of Construction Activities. The adjacent residents shall be given regular notification of major construction activities and their duration. A visible and readable sign (at a distance of 50 feet) shall be posted on the construction site identifying a telephone number for inquiring about the construction process and to register complaints.

28. Construction-related Parking. Off-street parking shall be provided for all construction-related parking generated by employees of the proposed project. No employees or subcontractor shall be allowed to park on the surrounding residential streets for the duration of all construction activities. There shall be no staging or parking of construction vehicles, including vehicles to transport workers on any residential street in the immediate area. All construction vehicles shall be stored on site unless returned to their owner's base of operations.

29. Truck Traffic Restricted Hours. Truck traffic directed to the project site for the purpose of delivering materials or construction-machinery shall be limited to the hours beginning at 9:00 AM and ending at 3:00 PM, Monday through Friday. No truck deliveries shall occur outside of that time period. After construction on the site is completed, truck delivery shall be limited to the hours between 7 a.m. and 9 a.m., seven days a week in the adjoining alley only.

30. Maintenance. The subject property (including any trash storage areas, associated parking facilities, sidewalks, driveways, yard areas, parkways and exterior walls along the property lines) shall be maintained in an attractive condition and shall be kept free of trash and debris.

31. Dust Walls. Temporary dust walls (e.g., Visqueen plastic screening or other suitable product) not less than 8 feet in height shall be installed and maintained along the property line as necessary to preclude dust dispersion from the project site to adjacent properties. The walls shall be in place during any time period when grading is being conducted.

32. Upon commencement of construction activities on the site, the Applicant shall cooperate with the Cahuenga Corridor Valet Parking Working Group; and upon commencement of commercial operations, the applicant shall provide a monthly calendar of events to the Los Angeles Police Department, Wilcox Station, as requested by Council District 13, and agreed to by the applicant at the City Planning Commission meeting on July 24, 2008.

D. Administrative Conditions

33. Approval, Verification and Submittals. Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

34. Code Compliance. Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions may vary.

35. Covenant. Prior to the issuance of any permits relative to this matter, an agreement

concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assigns. The agreement shall be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

36. Definition. Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

37. Enforcement. Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

38. Building Plans. Page 1 of the grant and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

39. Corrective Conditions. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director of Planning, pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if in the decision makers opinion, such actions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

40. Idemnification. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

41. Utilization of Concurrent Entitlement. The subject Zone Change, Conditional Use, Zone Variance, and Site Plan Review require completion of all applicable conditions of approval herein to the satisfaction of the Department of City Planning. The applicant/owner shall have a period of six years from the effective date of the subject Zone Change approval to effectuate the terms of the Zone Change; a period of two years from the effective date of the subject approvals to effectuate the terms of the Zone Variance entitlements, and two years and an additional year to effectuate the Conditional Use and Beverage Plan Approval entitlements by either securing a building permit or a Certificate of Occupancy for the authorized use, or unless prior to the expiration of the time period to utilize the grant, the applicant files a written request, and is granted an extension to the termination period for up to one additional year pursuant to applicable provisions of the Municipal Code.

Thereafter, these enumerated entitlements shall be deemed terminated and the property owner shall be required to secure a new authorization for the use. If a building permit is obtained during this period, but subsequently expires, this determination shall expire with the building permit.

Sec. ___. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

KAREN E. KALFAYAN, Interim City Clerk

By _____
Deputy

Approved _____

_____
Mayor

**Pursuant to Section 558 of the City Charter,
the City Planning Commission on July 24, 2008,
recommended this ordinance be adopted by the City Council.**

_____
**Lourdes Sanchez, Commission Executive Assistant I
City Planning Commission**

File No. _____

CONDITIONS OF APPROVAL

Conditional Use/Beverage Control Plan

Pursuant to Section 12.24 W.1 of the LAMC, the conditional use authorization granted herein is for the sale and dispensing for consumption of a full line of alcoholic beverages for on-site consumption in conjunction with the proposed hotel at the following locations: (a) first floor lobby bar: (b) on the 8th floor banquet facility with reception/courtyard area, and rooftop uses including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area, and in the public alley (c) controlled-access liquor cabinets to be located within the hotel rooms, and (d) the on site sale of a full line of alcoholic beverages by way of room service.

Pursuant to Section 12.24 W.18 (a) of the LAMC a Conditional Use authorization for live entertainment and patron dancing. The following conditions shall also apply:

a). With the exception of the applicant and the project's initial operator(s), any future operator of the project's alcoholic beverage serving or entertainment components must file a Plan Approval with the City with respect to the future operator's use, if that use materially alters in any manner these conditions of approval. The plan approval shall be accompanied by the payment of appropriate fees, pursuant to Section 19.01 C of the Municipal Code, and must be accepted as complete by the Department of City Planning. Mailing labels shall be provided by the applicant for all abutting property owners. In reviewing the plan approvals for alcohol sales and consumption, the Director of Planning may consider conditions volunteered by the applicant or suggested by the Police Department, but not limited to establishing conditions, as applicable, on the following: hours of operation, security plans, maximum seating capacity, valet parking, noise, character and nature of operation, food service and age limits.

b). Prior to the issuance of any permits relative to this matter, the applicant shall submit an overall security plan for the project site which shall be prepared in consultation with the Los Angeles Police Department and which addresses security measures for the protection of residents, visitors, and employees. The project shall include appropriate security design features for semi-public and private spaces, which may include, but shall not be limited to: access control to buildings; secured parking facilities; walls/fences with key security; lobbies, corridors and elevators equipped with electronic surveillance systems; well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment; and location of toilet facilities or building entrances in high foot traffic areas. Under the plan approval process individual security plans for each use may also be considered and required.

c). The owners, operators, managers, and all employees serving alcohol to patrons shall enroll in and complete a certified training program is recognized by the State Department of Alcoholic Beverage Control for the responsible service of alcohol. This training shall be completed by new employees within four weeks of employment and shall be completed by all employees serving alcoholic beverages every 24 months.

d). Any establishment applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and theseconditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be

made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.

e). A 24-hour telephone hot line shall be provided to residents and local neighborhood associations for reporting of any complaints. The hotline shall be answered promptly at all times to receive and resolve complaints regarding the operation of the center, including any of its establishments, or violations of the permit.

f). A phone number to a responsible representative of the owner shall be posted at each establishment for the purposes of allowing residents to report an emergency or a complaint about the method of operation of any facility serving alcoholic beverages.

g). The project site managers, individual business owners and employees of all private security officers shall adhere to and enforce the 10 p.m. curfew loitering laws concerning all minors within the grounds of the project site without a parent or adult guardian. Staff shall monitor the area under its control, in an effort to prevent the loitering of persons about the premises.

h). A "Designated Driver Program" shall be operated to provide an alternative driver for restaurant or bar patrons unable to safely operate a motor vehicle.

i). All public telephones shall be located within the interior of the establishment structure. No public phones shall be located on the exterior of the premises under the control of the establishment.

j). No employee shall solicit or accept any beverage from any customer while in the premises. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licensee provide, permit or make available, either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customers.

k). There shall be no exterior window signs of any kind or type.

l). Signs shall be posted in a prominent location stating that California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age. "No loitering or Public Drinking" signs shall be posted outside the subject facility.

m). The hotel manager(s) shall require proof of identification and age for all registered guests at check-in. Rooms where the registered guest is under twenty-one years of age, or where the age of the guest cannot be determined, shall have their in-room liquor cabinet disabled and locked.

n). No enclosed customer booths shall be permitted. If booths exist and are separated by a partition, said booths shall be completely open on at least one side.

o). Any private rental use of the establishment shall be retained under the control of the applicant and the lessee shall be provided with a copy of these conditions in order that these will be observed.

p). Entertainment may include a live theater and music, motion picture, video screening, record release and listening parties, band and orchestral rehearsals as well as special events provided these are conducted within the permitted operating hours

and provided all necessary Police Commission permits and other required permits have been obtained for such activities and remain valid.

q). Public dancing shall be permitted subject to a dance hall permit from the Police Commission being issued. Within 30 days of the effective date of this grant, a copy of said active permit shall be submitted to the Zoning Administrator for inclusionin the file

r). Music, sound or noise emitted which is under the control of the applicant shall comply with Section 116.01 of the Los Angeles Municipal Code and with any other applicable regulations of the City's noise ordinance.

s). The adjacent alleyway shall remain open for emergency access and for any cable and equipment access for any special events to the satisfaction of the Fire Department.

t). The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Department to impose additional corrective conditions, if, it is determined by the City Planning Department that such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

u). If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the City Planning Department will have the right to require the Petitioner(s) to file for a Plan Approval application together with the associated fees and to hold a public hearing to review the Petitioner(s) compliance with and the effectiveness of the conditions of the grant. The Petitioner(s) shall submit a summary and supporting documentation of how compliance with each condition of the grant has been attained.

PROPOSED VOLUNTARY CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT

The Applicant proposes the following conditions of approval for the requested conditional use permit:

1. The permitted hours for the sales, service and consumption of alcoholic beverages shall be as regulated by the California Department of Alcoholic Beverage Control. On all days of operation, sales, service and consumption of alcoholic beverages shall cease at or before 2:00 a.m. within all of the hotel's public venues. In addition, in the event of a third party event, all sales, service or consumption of alcoholic beverages shall cease at or before 2:00 a.m.

2. The hotel shall be permitted to operate 24 hours per day, 7 days per week. The hotel's ballroom, restaurant, lobby bar area, and rooftop bar area's shall be open to the general public and permitted to operate from 7:00 a.m. to 4:00 a.m. daily, subject to the following conditions: (i) the rooftop pool area shall only be accessible to hotel guests between the hours of 7:00 a.m. and 10:00 a.m.; (ii) the hotel's rooftop bar and lounge shall cease normal operation at or before 2:00 a.m., but can be utilized as a smoking area without music until 4:00 a.m. (iii) the hotel's restaurant may provide room service to hotel guests at all hours.

3. The hotel's restaurant shall be maintained as a bona fide eating place with an operation kitchen and shall provide a menu containing an assortment of foods normally offered in such restaurants. Food service shall be available within the restaurant at all times during normal operating hours.

4. The quarterly gross sales of alcoholic beverages and food shall be consistent with and satisfy the requirements imposed on the Applicant's license by the California Department of Alcoholic Beverage Control.

5. Electronic age verification device(s) shall be used to verify the age of any person seeking admittance to the hotel's age restricted areas as set forth below. In no event shall any person under 21 be served or be permitted to consume alcoholic beverages. Electronic age verification device(s) shall be maintained in an operational condition. All personnel with age verification responsibility shall be instructed in the use of such device(s).

6. The hotel's restaurant and ballroom shall be permitted to allow access to patrons of all ages during all hours of operation. Restaurant and ballroom patrons seeking alcohol service will have their age verified by restaurant personnel using government issued identification cards. The Applicant may voluntarily restrict access to the restaurant and ballroom to persons over the age of 21, depending on the needs of third party events. In such cases, the Applicant shall comply with Condition of Approval No. 5 above.

7. The hotel's rooftop pool area shall permit access to persons of all ages before 9 p.m. After 9 p.m., access to the rooftop area shall be restricted to persons over the age of 21. All access to the rooftop pool area after 9 p.m. shall be subject to Condition of Approval No. 5, above.

8. Third party events within the hotel's 8th and 9th levels may be held between the hours of 7:00 a.m. and 4:00 a.m.

9. The hotel's ballroom shall be permitted to have dancing and live entertainment. The Hotel's ballroom shall also be permitted to serve distilled spirits by the bottle, which shall be prohibited within the restaurant and on the rooftop.

10. The hotel's rooftop pool area shall be permitted to provide ambient background music between the hours of 10:00 a.m. and 2:00 a.m. only. There shall be no live entertainment or dancing during the normal operation of the rooftop pool area.

11. The Applicant shall not require an admission charge or cover charge to the hotel's bar/lounge/restaurant or ballroom areas. The Applicant shall not impose a requirement to purchase a minimum number of drinks per person.

12. Subject to obtaining the requisite permits, the sale, service, consumption and possession of alcoholic beverages shall be permitted within that portion of the adjacent alleyway delimitated for outdoor seating.

13. Delivery of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 9:00 a.m. each day of the week.

14. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of being applied.

15. No pool or billiard tables may be maintained on the premises.

16. There shall be no coin operated games or video machines maintained upon the premises at any time.

17. There shall be no Adult Entertainment of any type pursuant to LAMC § 12.70.

18. Applicant will comply with the applicable provisions of Chapter IX (noise regulations) of the LAMC. In addition, live music and live entertainment is permitted within the hotels ballroom during all business hours as long as music is not audible outdoors, as regulated by the LAMC.

19. Applicant shall provide State-licensed uniformed security personnel to ensure safety for the hotel's operation as required by the Applicant's security analysis or the Los Angeles Police Department. Security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel. All security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards.

20. In connection with catering activities only, and subject to obtaining the appropriate California Department of Alcoholic Beverage Control license, the hotel's restaurant shall be permitted to serve alcohol in connection with off-site catering events. Otherwise, every other portion of the hotel shall be prohibited from the sale of beer, wine and distilled spirits for consumption off the premises.

21. The Applicant shall be responsible for maintaining free of litter, the area adjacent to the premises over which they have control, if any.

22. There shall be no "happy hours" during which time beverages are sold at a discounted rate.

23. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages.

24. No pay phone will be maintained on the exterior of the premises.

25. Sales and delivery of alcoholic beverages to customers shall be as regulated by State Law.

26. Alcoholic beverages offered for sale at the premises shall be displayed and available for convenient inspection and purchase within the premises by the general public.

27. Within six months from the commencement of hotel operations, all personnel acting in the capacity of a manager of the Structure shall attend a Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angles Police Department, if he/she has not done so in the past 24 months. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24-months.

28. Applicant will ensure the continued placement of legible signs throughout the Structure alerting patrons entering and exiting the Structure to keep noise to a minimum, and to be respectful of the Property's surrounding neighbors.

29. Applicant will maintain on the Property and present on request to any Neighborhood Council or immediate neighbor, the valid and current name, phone number and any other contact information needed to facilitate timely communication with the representative responsible for the hotel.

30. The Applicant shall provide off-street parking spaces for vehicles used by patrons of the premises consistent with the LAMC requirements.

31. Applicant shall maintain on the premises and present upon request to any law enforcement officer, the business permit, insurance information, a valid emergency contact phone number for the valet service(s) and the security company(s) used by the Applicant.

32. Applicant shall install and maintain security cameras and a one-month video library of security and surveillance footage. The cameras will cover all common areas of the business, including high-risk areas such as cash receipt locations, entrances and exits. The videotapes shall be made available to the Los Angeles Police Department upon request.

33. The Central Hollywood Neighborhood Council must be notified and have an opportunity for input prior to any action or attempt to remove, modify or add any condition in the CUP for this project.

34. The subject alcoholic beverage license shall not be exchanged for a public premise type license.

35. The Applicant agrees to submit to the Central Hollywood Neighborhood Council for a review five years after commencing operation of the hotel.

"D" DEVELOPMENT CONDITIONS

Section 3. Pursuant to Section 12.32 H of the Municipal Code, the following limitations are herby imposed upon the use of the subject property, subject to the "D" Development classification.

Floor Area Ratio (F.A.R.). The total allowable floor area for the entire site shall not exceed 73, 814 square feet or exceed a FAR of 5:3:1, as approved under Case No. CPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR.

ZONE VARIANCE CONDITIONS OF APPROVAL

1. Notwithstanding LAMC Section 12.21A.5(c), the project shall be allowed 96% of required parking to be compact stalls in lieu of 40%.

2. Notwithstanding LAMC Section 12.21A.5(f), the project shall be allowed a variable driveway width no less than 14'-4" in lieu of the required 19'.

3. Notwithstanding LAMC Section 12.21A.5(a)2, the project shall be allowed one parallel parking stall with dimensions of 8' x 18'-6" in lieu of the required 8' x 26'. This request applies only to a single parallel parking stall located on the second floor of the garage.

4. Notwithstanding LAMC Section 12.21A.5(a)1, the project shall be allowed to waive the required 10" increases in parking stall width due to location of obstructions.

5. Notwithstanding LAMC Section 12.21A.5(b), the project shall be allowed to permit reduced back-up clearance dimensions of 17' in lieu of the required 25'-4" to those portions of the garage where the back-up clearance is less than the required 25'-4"

6. Notwithstanding LAMC Section 12.21A.5(a)1, the project shall be allowed, as interpreted by Information Bulletin/Public Zoning Code "Parking Lot Design" No. P/ZC 2002-001, Section IX. a minimum increase in width of 5 ¼" forend compact parking stalls in lieu of the required 2' increase.

7. Notwithstanding LAMC Section 12.14 A.1(b)(3) the project shall be allowed the consumption of food and beverages, including alcohol, to take place outdoors on the 8th floor and the rooftop area in lieu of being conducted in a ground floor restaurant or entirely within a completely enclosed building as is otherwise required.

8. Entitlement: The use and development of the property shall be in substantial conformance with the plot plan submitted, stamped and dated March 13, 2008, by Planning Department staff, and attached to the subject Case fileCPC-2007-3931-ZC-HD-CU-CUB-ZV-SPR.

FINDINGS

1. General Plan Land Use Designation
The subject property is located within the Hollywood Community Plan area, which was adopted by the City Council on December 13, 1988 (pursuant to Council File 86-0695-S1). The Plan Map designates the subject property as Regional Commercial with corresponding zones of C4, C2, P, PB, RAS4 and RAS3. The R5 zone is also allowed in Regional Center Commercial. Footnote No. 9 of the Plan limits all Regional Center Commercial properties located within the Hollywood Redevelopment Project area to a maximum FAR of 4.5:1 with a maximum of 6:1 FAR possible through a Transfer of Development Rights procedure and/or City Planning Commission approval.

2. General Plan Text

The Framework Element of the General Plan contains a number of policies relating to the promotion of housing in the City's centers and along the transit corridors. The Land Use Chapter of the Framework Element also presents policies relating to the promotion of housing in the City.

Objective 3.2 Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1 Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards.

3. Zone and Height District Change, L.A.M.C. Sec. 12.32.F: *Pursuant to Section 12.32C7 of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.*

The Project meets the criteria of public necessity because it provides much needed hotel guest rooms with an accompanying mixture of entertainment uses. With the emerging revitalization of Hollywood and it's promotion as a major tourist destination, the demand for hotels is expected to increase significantly within the not so distant future. The "W" Hotel complex under construction at Hollywood Boulevard and Vine Street, approximately 3 blocks northeast of the subject site will help in the community's resurgence. In order to sustain a regional entertainment district, a myriad of lodging options must be available to fit the needs of all classes of consumer. The Project will help to ensure that Hollywood has the hotel space necessary to continue to attract tourists to the area, and capture their associated spending and taxes. Additionally, by combining restaurant, entertainment and banquet/ballroom facilities within the hotel, the Project provides the mix of uses that are necessary to draw business travelers to an area.

The Project meets the criteria of public convenience by addressing the need for hotel space in a manner designed to reduce vehicle traffic in the area. The Project's hotel proposes to offer car, taxi and shuttle service to and from LAX, Bob Hope Airport in Burbank and the L.A./Ontario International Airport. These services, coupled with the Project's proximity to the Metro Red Line Station at Hollywood Boulevard and Vine Street, will allow hotel patrons to explore Hollywood and the surrounding City without generating additional car trips. The Project will encourage a pedestrian

friendly atmosphere and promote the use of alternative methods of transportation. The Project will allow Hollywood to accommodate the tourists who come to visit the many entertainment options in the immediate area and promote it as a nationally recognized entertainment district.

The Project benefits the neighborhood with the development of an up-scale hotel on an underutilized site and contribute towards the positive transformation of Hollywood. Currently, there is a variety of development occurring on Sunset and Hollywood, and by connecting these improvements, the Project will promote a cohesive land use environment for the community. Further, the proposed alley improvements will provide a unique pedestrian experience and will have the additional benefit of reducing the criminal activity that currently takes place in the alley. The economic investment that has been occurring in Hollywood has provided community residents with more housing and entertainment choices, however there is still a scarcity of public spaces for residents to enjoy. Outdoor spaces such as parks, public squares and walkways enhance quality of life by providing areas for people to interact and engage with their environment. The renovated alley will provide an outdoor public space for residents and hotel patrons to utilize and may serve as a catalyst for other alley improvements in the area. Additionally, the transformation will have the effect of drawing more visitors to the Hollywood area, both in the daytime and the evening, which will benefit all of the merchants in the surrounding area and help turn this section of Hollywood into a thriving entertainment district.

Adoption of the requested Zone/Height District change will be in conformity with the general welfare, since the Project's density and scope are designed to be appropriate to the Community Plan's vision for the surrounding properties, and Hollywood's vertical growth. Removing the "D" Limitation is consistent with the Hollywood Community Plan goal of creating a "major center of population, employment, retail services, and entertainment." Accordingly, the Project is more in line with the goals of the Community Plan and the scale of recent and proposed development in the area. The Property's current zoning conditions hinder such development because the FAR is severely restricted. The proposed increase in FAR also better reflects the Property's Regional Center Commercial land use designation, and the development allowed by this designation. Thus, the Project promotes smart growth which improves the aesthetics, environmental impacts and public health of communities by promoting development in appropriate locations that foster walkability and provide alternatives to automobile dependency. The requested zone change will allow the Project to be built in a location and at a density that benefits the general welfare by promoting these smart growth concepts.

The Project also adds to the safety and security of the neighborhood by transforming an unattractive alleyway, occupied primarily by vagrants and persons prone to illegal behavior, into a well-lit entryway for the Project. The proposed pedestrian alley will provide hotel patrons and community residents with an attractive, innovative public space in which to congregate. The revitalized alley way will promote pedestrian street traffic by attracting both hotel patrons and community members to the hotel and surrounding businesses. This increased foot traffic will activate the surrounding streets and may bring neighborhood businesses new customers who would otherwise not be walking in the area. Additionally, the Project will begin to transform an area of underutilized warehouses into a vibrant entertainment district filled with pedestrians.

Adoption of the zone change from the existing C4-2D to C4-2 is in conformity with good zoning practice. The elimination of the "D" Limitation would allow the project to "build up,not out", in line with smart growth of denser and taller buildings and as envisioned by the CRA"s five year development plan, approved recently. The Property is already located within Height District No. 2, which generally permits an FAR of 6:1 for commercial properties. The property is limited to a total FAR of 2:1 by Ordinance No. 165,660, effective May 1990. However, Footnote No. 9 of the Hollywood Community Plan which restricts all properties within the CRA area to a FAR of 4.5:1 allow a maximum FAR of 6:1 through City Planning Commission approval. The requested zone change request is to eliminate the "D" Limitation to allow a 5.3:1 FAR. Requiring development of the

Property under the D Limitation would hinder smart growth concepts and produce an under-utilized site. The Property's proximity to the Hollywood Boulevard and Vine Street Metro stop will promote pedestrian traffic and decrease Project patrons' and community residents' reliance on cars. The Project will support public transportation by promoting Metro ridership, and the Project will benefit by attracting customers from downtown, and other areas that have access to the Metro. The potential symbiotic relationship between the Project and the Metro further indicates that the Property's highest and best use would be actualized with the approval of the requested zone change. Therefore, the Project and requested zone change is in conformity with good zoning practice.

a. The action, as recommended, has been made contingent upon compliance with the "(T)" and "(Q)" conditions imposed herein. Such limitations are necessary to protect the best interests of and to assure a development more compatible with surrounding properties,to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

b. In addition, the recommended zone change to (T)(Q)C4-2-SN, is within the range of zones allowed by the General Plan Land Use designation of Regional Center Commercial land use with corresponding zones of C4, C2, P, PB, RAS3 and RAS4 and R5. It will also permita development which supports the General Plan Goals, Objectives and Policies by building a "Green" project which will provide the community with a new hotel which will support and promote Hollywood as the center of the entertainment industry and a tourist destination.

4. Conditional Use Findings.

Pursuant to Section 12.24 W.1 of the Municipal Code, amaster Conditional Use to permit (1) the on-site sale and consumption of a full line of alcoholic beverages in conjunction with the proposed hotel including a first floor lobby bar with outdoor seating, an 8th floor banquet facility with reception/courtyard area, and rooftop uses including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area (2) controlled-access liquor cabinets to be located within the hotel rooms, and (3) the on site sale of a full line of alcoholic beverages by way of room service.

a. *That the proposed location will be desirable to the public convenience and welfare.*

The Project's location is desirable to the public convenience and welfare because it will simultaneously provide the surrounding community with economic and social benefits, while providing out of town guests with an upscale boutique hotel experience not currently found in Hollywood. The Project will revitalize the Property, maximizing the Property's economic utility, by creating a unique boutique hotel experience. Furthermore, the Project will awaken a problematic private alleyway running along the Property's eastern edge by fostering pedestrian activity with a lively lobby and lounge area. The Applicant will resurface the alley with a cobble stone street, and exposed brick buildings with attractively manicured ivy, simulating a European paseo. The alley way is currently a haven for vagrants and illegal behavior. The Project's redevelopment of the Property will remove this element from the neighborhood, instead providing a safe and pedestrian friendly alley, which will also benefit adjacent and local business and provide an interesting area for neighborhood residents to enjoy.

The Applicant's proposal has resulted in a mixture of much needed hotel uses, in connection with an approximately 1,993 square feet of bona fide restaurant with 295 dedicated kitchen space, offering both hotel guests and community members a dinning experience. The Project will also incorporate an approximately 4,994 square foot banquet/ballroom facility; another badly needed use within the community. The Hollywood community has been and will continue to experience unprecedented growth, and resurgence as a nationally

recognized entertainment center. A hotel project, which provides on-site lounge, restaurant and banquet/ballroom facilities will not only contribute to the City's tax base and the local Hollywood economy, but will also provide tourists and area residents alike with a new hotel experience. The Project's proposed roof top pool and lounge area will maximize views of the Hollywood Hills, and portions of the City, providing a uniquely urban poolside experience during both daytime and evening hours. The Project's outdoor seating will provide a new dining and entertainment option not currently experienced in Hollywood.

The proposed restaurant will be open for both lunch and dinner service to both hotel guests and the general public. The restaurant's proposed location will offer views of Hollywood, the Hollywood Hills and the other parts of the City. The restaurant and ancillary bar will accommodate approximately 96 patrons during both lunch and dinner service. A restaurant operator has not been selected, but will be selected in connection with the Project's proposed hotel operator. The Project's banquet/ballroom space will add a mid-sized event space to the community which currently only has either large or small event spaces. Consistent with the proposed conditions of approval, the Applicant will provide the banquet/ballroom space for use by third parties, such as corporate functions, weddings, movie premiers and press conferences. Additionally, when the banquet/ballroom Center is otherwise unoccupied, the Applicant proposes to make the space available for community and non-profit groups. Accordingly, the banquet/ballroom Center will benefit many businesses and neighborhood groups around the Hollywood Community. The Applicant will offer menus from the Project's kitchens for these events, but will also permit events to use outside catering service.

In an effort to reduce hotel patron reliance on automobiles (including rental cars) the Applicant proposes to provide hotel car, shuttle, and taxi service between area airports and the hotel. Providing this service will also assist in stimulating reliance on mass transit systems.

Accordingly, the proposed location is desirable to the public convenience and welfare because the Project will benefit the safety of the local community while simultaneously stimulating economic activity and contributing to charitable causes.

b. *That the proposed project will be proper in relation to adjacent uses or the development of the community.*

The Project is proper in relation to adjacent uses and the development of the Hollywood community. The Property's immediate vicinity has, is, and will continue to be a heavily commercial area. Uses in the area range from commercial retail business, to eateries, strip type malls, and various bars and other entertainment outlets. A variety of commercial and residential development projects are occurring along Hollywood and Sunset Boulevards. Similar investment, however, has not occurred in the area between these two streets. The Applicant's proposal will encourage further revitalization of this overlooked portion of Hollywood.

Uses abutting and adjacent to the Property include the following: (i) directly to the Property's east, across the private alley way, is a live entertainment venue, a proposed restaurant use currently under construction, and various other commercial uses; (ii) directly to the west are other commercial office type uses; (iii) numerous additional commercial businesses are located across Selma Avenue directly south of the Property; and (iv) directly to the north of the Property is an office building. A commercial hotel with bar/lounge, restaurant and banquet/ballrooms space will not interfere with the area businesses because the Project's commercial character is consistent with the existing neighborhood. Therefore, the Project will be proper in relation to adjacent uses, existing and future development of the community.

c. *That the proposed project will not be materially detrimental to the character of development in the immediate neighborhood.*

The Project will not be materially detrimental to the character of development in the immediate neighborhood because it is commercial in character. The Project's 120 room boutique hotel with accompanying bar/lounge, rooftop pool, restaurant and banquet/ballroom facilities will provide tourists and guests of neighborhood resident's with a lodging option. The proposed mix of uses is essential to the long-term success of a boutique hotel. Moreover, the adjacent neighborhood is zoned commercial and is developed with commercial uses with no residential uses within the Property's immediate vicinity. The Project's hotel character and mix of commercial uses, which include a large restaurant, will ensure vibrant daytime and evening activity, reducing crime in the neighborhood and the adjacent alley way. Therefore, none of the proposed uses will be materially detrimental to the neighborhood's character. To the contrary, the Project will complement the neighborhood and will promote Hollywood as a premier tourist destination, and nationally recognized entertainment district, which offers a wide array of lodging options.

The Applicant will revive the existing warehouse by constructing the Project on the top and retaining the majority of the currently existing parking area. A portion of the warehouse will be redeveloped as the Project's lobby and lobby lounge. Renovating and expanding the warehouse will not be detrimental the neighborhood because the Project will create a tax generating business from a currently underutilized parcel. Additionally, retaining the warehouse reduces construction related impacts that would occur if it was demolished. Similarly, the Project's mixture of hotel, restaurant, bar/lounge and banquet/ballroom uses will revive the immediate vicinity around the Property including the adjacent alley. Therefore, the proposed project will enhance the character of development in the immediate neighborhood and will assist in Hollywood's continued redevelopment as premier tourist destination.

d. *That the proposed project will be in harmony with the various element and objectives of the General Plan.*

The proposed project will be in harmony with the various elements and objectives of the General Plan and the Community Plan. The Property's land use designation is Regional Center Commercial. The Project will also be in harmony with the various elements and objectives of the General Plan because the requested conditional use permits for the on-site sale and consumption of a full line of alcoholic beverages, dancing and live entertainment does not conflict with the zoning and land use designations for the Property.

In addition, a major objective of the Community Plan is to "further the development of Hollywood as a major center of population, employment, retail services and entertainment." The Project will fulfill this objective because it will provide a boutique hotel combined with restaurant, bar/lounge, and banquet/ballroom facility uses. The Project's hotel component will provide much needed upscale lodging, while the Project's restaurant, bar/lounge and banquet/ballroom facility will provide ample entertainment opportunities for both hotel guests and the community at large. The Project's proposed mix of commercial uses is consistent with the boutique hotel model found in various other metropolitan cities, and is similar to the larger "W" hotel proposed for the corner of Hollywood Boulevard and Vine Street. The Project will also provide numerous employment and opportunities for area and City residents. Accordingly, the hotel will help the City achieve its vision of Hollywood as a live-work-play community.

ADDITIONAL FINDINGS REQUIRED BYLAMC SECTION 12.24.W.1

1. *That proposed use will not adversely affect the welfare of the pertinent community.*

The proposed boutique hotel on a site currently occupied by an underutilized existing warehouse, used only for parking will not adversely affect the economic welfare of the community because it will generate significant amounts of transient occupancy tax and sales tax. The Project is providing an upscale boutique hotel which will also create many new jobs for City and area residents and help stimulate the area's redevelopment. Moreover, the Project will assist in reviving the currently dark and dangerous alley located adjacent to the Property. This adjacent alley way is blight on the neighborhood and is currently used by vagrants and those prone to illegal behavior. The Project will have a positive impact on this alley because it will be resurfaced and used for both vehicle and pedestrian accessto the Project.

The Project will support the community's economy and surrounding businesses by creating a lodging base for tourists who can easily walk to Hollywood's existing and emerging shopping, dining and entertainment areas. Furthermore, in order to create a sustainable nationally recognized entertainment district, a myriad of lodging options, which also provide in-house entertainment options, are necessary. The Project's proposal to create a hotel, restaurant, bar/lounge and banquet/ballroom facility will help sustain Hollywood's resurgence as a premier tourist destination location.

The Project will retain the existing warehouse, which will provide approximately 107 parking spaces to satisfy Project generated parking demand. Recent changes to the City's parking ordinance now permit the use of mechanized parking systems to satisfy code requirement. Pursuant to the LAMC, the code permitted Project's mixture of uses must provide 94 parking spaces. The Applicant intends to process the necessary requests to entitle the Project for valet/stacked parking. The Applicant also understands and supports a reduction on vehicle reliance as a primary means of transportation. Therefore, the Applicant proposes to provide car, shuttle and taxi service between the area airports and the hotel. This proposal will assist in drawing the tourist base to Hollywood without cars. These tourists can then walk to nearby shopping and entertainment area, or rely on mass transit systems to access other parts of the City. Therefore, the project will not adversely affect the community's welfare because it is adequately parked, and the Applicant will take steps to reduce traffic.

2. *Granting the application will not result in an undue overconcentration of premises for the sale and dispensing for consideration of alcoholic beverages in the area of the City involved because the public convenience will be served by the issuance.*

The overconcentration of liquor licenses is determined by a census tract's existing population compared to the total number of alcohol licenses within the same census tract. Overconcentration can be undue when the addition of a license will negatively impact a neighborhood. Overconcentration is not undue, however, when approval of a license does not negatively impact the area, but rather such license benefits the public welfare and convenience. The Property is located within Census Tract 1907 (the "Census Tract"). Although the Census Tract is numerically overconcentrated, the Project will not adversely affect community welfare because it is a desirable boutique hotel with accompanying restaurant, bar/lounge and banquet/ballroom space. Moreover, the Project will provide much needed hotel accommodations and first class amenities for hotel patrons and community residents. Therefore, approval of the requested CUP will not contribute to the Census Tract's undue overconcentration, but will serve the public convenience.

Hollywood has also long catered to a large number of tourists who wish to experience Hollywood's fabled past and vibrant future. The addition of the Project will keep these tourists in Hollywood, increasingly surrounding economic activity. Large numbers of alcohol licenses are found in the Census Tract, and will be found in other census tracts throughout Hollywood to cater to this tourist economy. The addition of the Project, however, will cater to such tourist base and will also provide much-needed lodging amenities. The Project will benefit the community by rejuvenating the existing warehouse, which will have the concomitant effect of reducing loitering and other unwanted elements that currently exist. Therefore, granting the requested conditional use permit will not adversely affect community welfare because no detriment will occur to the surrounding neighborhood and public convenience will be served by the issuance of the requested CUP.

The Applicant's representatives contacted ABC regarding existing on-sale liquor licenses within the Census Tract. According to the investigator, the Census Tract 1907, has 46 existing on-site sales licenses and 3 off-site sales licenses. The Census Tract is permitted a maximum of 3 on-site and 2 off-site sales licenses. Therefore, the Census Tract is numerically over concentrated.

The Census Tract's population, however, is based on the 2000 United States Census that is now over seven years old. In addition, the Census Tract population does not account for the large numbers of visitors who travel to Hollywood, nor does it consider the number of employees found in the many entertainment oriented and serving businesses. Many businesses operating within the Hollywood community cater primarily to this customer base and do not operate during the evening hours. Similar situations exist in other prominent tourist areas throughout Los Angeles. Nonetheless, the Project would not contribute to the Census Tract's undue overconcentration because it would serve the public convenience and would not detriment the Hollywood community.

3. *The proposed use will not detrimentally affect nearby residentially zoned property or other sensitive uses such as hospitals, schools, churches or public playgrounds.*

The Project will not detrimentally affect nearby residentially zoned property or other sensitive uses such as hospitals, schools, churches or public playgrounds. The Property is not located in close proximity to residential zones. The surrounding Cahuenga corridor neighborhood has been and continues to be a commercial neighborhood with a mixture of retail, restaurant, entertainment outlets, and office space. The Applicant understands the neighborhood's character and is committed to supporting and enhancing this character by obtaining the services of a reputable hotel operator to operate all aspects of the Project. As the Property owner, the Applicant will retain an interest in ensuring that the Project's restaurant, bars/lounges, and banquet/ballroom space continue the responsible service of alcohol. The Project's location near major corridors, along with its compatibility with the surrounding neighborhood properties, lends to its desirability and to the public convenience and welfare.

The Project will not detrimentally affect any nearby schools, churches and other sensitive uses because the Project's most intense periods of use will generally not coincide with the operation of such sensitive uses. There are no parks within 1,000 feet of Project. Selma Elementary is located at 6611 Selma Avenue, within 1,000 feet from the Project. The closest church is located at 6657 W. Sunset, which is approximately 1,600 feet from the Property. The Project's major component is a hotel with 120 rooms, which will not adversely affect either the school or church. Accompanying bar/lounge, restaurant, and banquet/ballroom center spaces comprise only a fraction of the Project and will not impact either the school or church.

5. Variance Findings.

Pursuant to Section 12.27 of the Municipal Code Zone Variances as follows:

a. from Section 12.14 A.1(b)(3) to permit the consumption of food and beverages, including alcohol, to take place outdoors on the 8th floor and the rooftop area in lieu of being conducted in a ground floor restaurant or entirely within a completely enclosed building as is otherwise required.

1. *That strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the Zoning regulations.*

The LAMC permits the construction, use and maintenance of a hotel and associated entertainment uses in the C4-2D Commercial Zone. Denial of the request for a variance to allow outdoor terraced dining would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning regulations. The zoning regulations allow certain lands uses in the various zones in order to achieve compatibility between respective uses. Such regulations, however, are written on a City-wide basis and cannot take into account individual unique characteristics, which a specific parcel and its intended use may have. In this instance, the Code's intent to regulate noise can be accommodated while providing a viable and attractive hotel in a manner consistent with the intent and purpose of the zoning regulations.

In addition, the subject site is zoned C4-2D, Regional Center Commercial, with all surrounding uses being commercial. The area surrounding the Project is envisioned as an entertainment district, which will be enhanced by the Project's unique building plans.

The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations since the principal hotel use will help transform Hollywood into a nationally recognized entertainment district. The construction and design of the hotel, which includes some partially outdoor terraced locations, would not be expected to create any additional impacts above and beyond the current allowable uses.

2. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The Property's unique features, including the location and the proposed boutique hotel present a situation not applicable to other property in the immediate vicinity. The Community Plan states that one of the goals for Hollywood is to be a "major center of population, employment, retail services, and entertainment." In order to reach this goal of the Plan, the proposed hotel would contribute towards Hollywood becoming a nationally recognized entertainment zone with available hotel rooms for out of town guests. The dining areas on the upper floors will be unique and innovative design features, such as those sought under this variance request, and are necessary to enable this area to be transformed from underused warehouses into a vibrant entertainment zone, which will attract a strong tourist and economic base to Hollywood.

3. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

Numerous other sites in the surrounding area have been granted variances and adjustments to facilitate unique design features, such as the Music Box and the W Hotel development in the Hollywood area, and the Standard Hotel, the California Club and the Jonathan Club in Downtown Los Angeles. These uses often exist in older non-conforming buildings to allow for the maximum visibility of the Hollywood Hills and cityscape. The right to maintain and make modest changes to these uses has been affirmed in prior Zoning actions throughout the area. The Applicant must incorporate unique design features to create an iconic hotel, which will complement the recent and proposed development in the Hollywood area.

4. *That the granting of such variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Allowing the Project to incorporate a modest amount of outdoor terraced dining will not be materially detrimental to the public welfare, or injurious tothe property or improvements in the same zone or vicinity in which the property is located. The use is completely compatible with the surrounding Regional Commercial Center uses and complements the City's vision of Hollywood as a thriving entertainment district. The Property is located in a commercial corridor with no residentially zoned properties in proximity. Due to the Property's surrounding uses, the outdoor terraced dining will not be detrimental or pose a nuisance to the public welfare.

The unique architectural feature will benefit the public welfare by creating an interesting and attractive hotel that will enhance Hollywood's image as an entertainment destination. Allowing and encouraging modifications that allow for uniquely designed buildings will continue to promote the revitalization of the Hollywood area and improve the local economy and visual aesthetic.

5. *That the granting of such variance will not adversely affect any element of the General Plan.*

The granting of this variance will not adversely affect any element of the General Plan. The use of outdoor terraces for dining and entertainment is consistent with the Hollywood Community Plan goal of being a "major center of population, employment, retail services, and entertainment." The use of unique and innovative architectural elements will spur the transformation of the area into a thriving entertainment district. Allowing some outdoor dining above the first floor will not hinder the achievement of community redevelopment goals, nor will it negatively affect the character of development in the immediate neighborhood.

b. Pursuant to LAMC Section 12.27, the applicant requests **Zone Variances** from the following Sections of 12.21. A. 5**:**

No.1: a variance from LAMC Section 12.21A.5(c) to allow up to 96% of required parking to be compact stalls in lieu of 40%.

No. 2: a variance from LAMC Section 12.21A.5(f) to allow a variable driveway width no less than 14'-4" in lieu of the required 19'. The width of the access driveway varies throughout the garage. At certain points the driveway exceeds the required 19' width while at other points it narrows to a minimum of 14'-4".

No.3: a variance from LAMC Section 12.21A.5(a)2 to allow one parallel parking stall with dimensions of 8' x 18'-6" in lieu of the required 8' x 26'. This request applies only to a single

parallel parking stall located on the second floor of the garage.

No.4: a variance from LAMC Section 12.21A.5(a)1.ii to waive the required 10" increases in parking stall width due to location of obstructions. The Existing Warehouse is supported by a series of 18 interior columns that are located at the rear corner of certain parking stalls and within 14' of the drive aisle. In addition, certain parking stalls on both the first and second floors are located adjacent to interior walls that are within 14' of the drive aisle. Accordingly, the Applicant's variance request to waive an increase in parking stall width applies to the parking stalls located adjacent to these obstructions.

No.5: a variance from LAMC Section 12.21A.5(b) as interpreted by Information Bulletin/Public Zoning Code "Parking Lot Design" No. P/ZC 2002-001, Table 5A to permit reduced back-up clearance dimensions of 17' in lieu of the required 25'-4". Back-up clearance dimensions in the garage are variable. At some points, back-up clearance exceeds the 25'-4" requirement, while at other points it is reduced to a minimum of 17'. Accordingly, the Applicant's variance request applies to those portions of the garage where the back-up clearance is less than the required 25'-4" to a minimum of 17'.

No.6: a variance from LAMC Section 12.21.A.5(a)1 as interpreted by Information Bulletin/Public Zoning Code "Parking Lot Design" No. P/ZC 2002-001, Section IX. to permit a minimum increase in width of 5 ¼" for end compact parking stalls in lieu of the required 2' increase. The garage contains only a few end stall units, and the increased width provided for these end stalls varies from a minimum of 5 ¼" to a maximumof 15". Accordingly, the Applicant requests a variance to permit a reduction in the required width increase for end compact parking stalls to a minimum of 5 ¼".

1. *That strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the Zoning regulations.*

The LAMC permits the construction, use, maintenance and parking of a hotel and associated entertainment uses in the C4-2D Commercial Zone. The Project proposes to retrofit an existing 2 story parking garage to support the hotel and ancillary entertainment uses, while maintaining the existing ground floor and 2nd story for parking uses. The strict application of the zoning ordinance would result in practical difficulties or unnecessary hardships because the site is long and narrow, rendering the development of a conforming parking structure next to impossible. The Property is currently improved with the Existing Warehouse that has the capability to provide adequate parking for the Project. Retaining the existing warehouse (instead of erecting a new structure) would also reduce environmental impacts. However, the Property's narrow width makes providing parking spaces with the LAMC requirements extremely difficult. The requested variances would allow the preservation and reuse of the Existing Warehouse to meet Project parking demand. The Property's narrow width and extreme length are practical difficulties not encountered on nearby sites. Development of a subterranean garage because of the Property's narrow length and width make it difficult to install a ramp.

Further, the intent of the Zoning regulations for parking bay dimensions, driveway dimensions and other parking design requirements serve to protect the ability of the general public to safely and easily park their cars. However, the Zoning regulations are written on a Citywide basis and do not take into account a property's individual unique characteristics. In this instance, the Code's desire to regulate the ease and safety of the general public to park their cars *and* the Applicant's desire to maintain the Existing Warehouse can be accommodated in a manner consistent with the intent and purpose of the zoning regulations. The Applicant will employ a valet parking service at all times. Only professional valet

attendants will be allowed to park and retrieve cars in the Project's parking lot. Valet attendants will be familiar with the Project's parking lot design and will be experienced at maneuvering cars within such designs. Therefore, the intent of the zoning ordinance to protect ease and safety of automobile parking will be satisfied. Further, because the Existing Warehouse can accommodate the Project's parking demand, denial of the requested variances would result in unnecessary hardships inconsistent with the general purpose and intent of the Zoning regulations. The preservation and reuse of the Existing Warehouse will reduce the environmental impacts that would occur if demolition of the Existing Warehouse and construction of a new structure were required.

The requested variances would permit the Applicant to preserve and reuse the Existing Warehouse to provide parking for the Project. In order to provide the same number of parking spaces without the requested variances, the Applicant must demolish the Existing Warehouse and build subterranean levels, or construct additional above-grade parking levels. Both of these options result in additional construction- and demolition-related environmental impacts and would result in unnecessary difficulties for the Project. Denial of the requested variances would require the Applicant to redesign its parking lot to accommodate unnecessarily larger parking spaces. The Project would still be required to provide the same number of parking spaces, and therefore, the larger spaces required without approval of the requested variances would require more space. In order to provide this additional square footage, the Applicant would need to engage in additional construction or demolition than would be required with the proposed parking design.

On a dense, urban, infill development site, such as the subject property, where the area available for a parking structure and additional parking levels is constrained, and where alternative transit systems are available, the strict application of these parking requirements requiring increased stall size and width, including the prescriptive design requirements for obstructions, as well as providing one standard parking space per residential unit, would result in practical difficulties and unnecessary hardships for the site by adding substantial area to size of the project's parking levels or adding an additional parking levels altogether in order to provide the larger-sized parking stalls. Because adequate parking, access and maneuvering area can be provided with smaller parking spaces, as proposed in the project, requirements for additional parking stall area width and dimensions are inconsistent with the general purposes and intent of the zoning regulations.

The strict application of the provisions of the Zoning Ordinance would clearly result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations because the principal hotel use and supporting parking space will help transform Hollywood into a nationally recognized entertainment district.

2. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The Property's previously mentioned unique features, including the Property's location and the Existing Warehouse, constitute special circumstances which do not apply to other properties in the area. The Project is located within walking distance of Hollywood and Sunset Boulevards and has the potential to support the revitalization of these corridors by providing visitors the lodging options required to sustain a tourist destination. A goal of the Hollywood Community Plan is to "perpetuat[e] [Hollywood's] image as the international center of the motion picture industry" and the Project will provide the hotel accommodations and ancillary entertainment uses that will attract tourists to the surrounding area and, therefore, contribute to Hollywood's resurgence as a major entertainment capitol.

Additionally, the Applicant proposes to preserve the Existing Warehouse and utilize it for the Project's estimated parking demand. The Property's narrow width makes providing parking spaces with LAMC's required dimensions more difficult than other properties in the area. Rather than demolishing the Existing Warehouse, the Applicant proposes to pay homage to Hollywood's past by restoring and retrofitting the Existing Warehouse to be a part of the Project. The Existing Warehouse is built out to the parcel's lot lines. Therefore, if the Applicant were required to comply with the LAMC parking stall and driveway dimensions, the Existing Warehouse would not provide enough space for the Project's estimated parking need. As discussed above, the Applicant proposes to use the Existing Warehouse for its parking use, which will reduce the environmental impacts of the Project. The environmental impacts of demolition can have major implications for the surrounding community and by preserving the Existing Warehouse rather than demolishing it, the Project will have fewer environmental impacts than it would if demolition was required.

The Property's dimensions, location, and Existing Warehouse are not circumstances that are applicable to many, if any, other properties in the same zone and vicinity. The requested variances will allow the Applicant to develop a project that will support the communities' entertainment goals while preserving an existing structure and reducing potential environmental impacts.

3. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

The right to maintain and make changes to properties has been affirmed in prior Zoning actions throughout the area. The Applicant wishes to preserve and reuse the Existing Warehouse for its parking need, and therefore, must incorporate unique design features to create an iconic hotel with the required ancillary parking space, which will complement the recent and proposed development in the Hollywood area. The Property's narrow width necessitates unique design features to accommodate the required number of parking spaces. Similar to other structures, the Existing Warehouse located on the Property was built in the early 1900s, and does not conform to some of the current LAMC requirements, such as setbacks. As discussed above, the Existing Warehouse is built out to the parcel's lot lines. The Applicant proposes to preserve and reuse the Existing Warehouse, which will limit construction impacts on the surrounding neighborhood, but without the requested variances preservation may not be feasible because the warehouse cannot be expanded due to its built out status. Therefore, without approved variances, the warehouse would most likely need to be demolished and rebuilt to provide parking.

4. *That the granting of such variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Allowing the Project to utilize the Existing Warehouse area for parking space will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located. The requested variances only affect portions of the Project that are entirely enclosedand have no negative effect on the surrounding community. The Applicant is seeking relief from LAMC Sections that instruct the dimensions of the parking bays and other technical design requirements. Varying from these requirements will not affect surrounding properties or improvements because they simply alter the design of an enclosed structure. The variances will not result in increased traffic, noise or other harmful elements. Onthe contrary, the surrounding businesses and residence would be harmed if the requested variances were not approved because it would

require the Applicant to engage in additional construction and possibly demolition of the Existing Warehouse. Allowing and encouraging modifications that allow for uniquely designed buildings will continue to promote the revitalization of the Hollywood area and improve the local economy and visual aesthetic. Additionally, the LAMC's parking requirements are outdated as evidenced by the City's approval of Ordinance Number 179191, which permits automated parking structures that utilize mechanized lifts, valet service, and other innovative technologies.

5. *That the granting of such variance will not adversely affect any element of the General Plan.*

The granting of this variance will not adversely affect any element of the General Plan. The proposed parking design will allow the Project to contribute to the Hollywood Community Plan goal of being a "major center of population, employment, retail services, and entertainment" and "perpetuating [Hollywood's] image as the international center of the motion picture industry." The Project's location will encourage development in the region located between Hollywood and Sunset Boulevard and will promote continuous land use planning. The Applicant's investment has the potential to spur additional investment in the area, including providing the services a "major center of population, employment, retail services, and entertainment" require to be sustained. Therefore, the Project's location and innovative design will improve the surrounding community's image and serve as a catalyst for continued neighborhood investment. Allowing the proposed creatively designed parking plan will not hinder the achievement of community redevelopment goals, nor will it negatively affect the character of development in the immediate neighborhood.

6. Pursuant to Los Angeles Municipal Code (LAMC) Section 16.05, the Applicant requests approval of Site Plan Review.

Site Plan Review Findings

1. *That the project complies with all applicable provisions of the Los Angeles Municipal Code, Planning and Zoning Section, and any applicable specific plan.*

The Project complies with the applicable provisions of the Planning and Zoning Code by application of the requested approvals. The proposed hotel and its ancillary amenities are allowed by-right within the C4 zone. The Community Plan allows an FAR of up to 4.5:1, which can be increased to 6.0:1 with Commission approval. As part of this application, the Applicant requests Commission approval of an FAR of up to approximately 5.3:1.

2. *That the project is consistent with the General Plan*

The Project is consistent with the General Plan. The Community Plan, which implements the land use element of the General Plan, currently permits an FAR of up to 4.5:1 for similarly designated parcels, but the Property's FAR is restricted by a D Limitation. Hollywood is envisioned as an entertainment center, and encouraged to foster activities and amenities attractive to residents and tourists. The current D Limitation restricts the Property's FAR, thus limiting the Property's potential to contribute to Hollywood's revitalization as an entertainment hub. Consequently, the requested Zone/Height District change would permit the development of the Property to contribute to the Community Plan's vision. Once the requested Zone/Height District Change is approved, the Project will remain consistent with its C4 zone and corresponding Regional Center Commercial Community Plan designation.

The Project is consistent with the Hollywood Community Plan area of the General Plan as follows:

Objective 1: To further development of Hollywood as a major center of population, employment, retail services and entertainment.

The Project proposes a hotel and ancillary amenities with development intensity more consistent with Hollywood's mass transit oriented urban future. The Property is located in an area in close proximity to Hollywood and Sunset Boulevard, and the Project's patrons will support the area's entertainment and shopping. Currently, there are an insufficient number of hotel rooms to serve the growing community of Hollywood. This deficiency often causes travelers to choose other communities in the Los Angeles region that offer lodging. The practical effect of the insufficient hotel infrastructure is an increase in vehicle traffic, because tourists must drive to Hollywood. These added trips exacerbate traffic congestion within the community. The Project proposes to address this deficiency by providing an urban boutique hotel which will provide walkable access to many of Hollywood's attractions. Additionally, the Project will provide local residents with an attractive restaurant, and will contribute to the community's revitalization. The Project's uses, intensity, and design highlight the area's character as a vibrant and active urban district.

Objective 2: To designate lands at appropriate locations for the various private uses and public facilities in the quantities and at densities required to accommodate population and activities projected to the year 2010.

The Property's strategic location between Hollywood and Sunset Boulevards makes the Property an ideal place for the proposed Project, which will support Hollywood's current and future entertainment uses. The Project provides much needed hotel rooms to sustain a tourism base in the Hollywood area. The proposed Project will provide tourists with the amenities that are expected from an upscale hotel, while maintaining a unique experience that will distinguish the Project from a large-scale hotel. The Project's patrons will have the ability to walk to many of Hollywood's famous entertainment venues and creative restaurants. Additionally, the Property is approximately 1,200 feet from the Hollywood and Vine Metro stop and thus provides Project patrons with the option to use public transit when they are traveling around the City.

Objective 4: To promote economic well-being and public convenience through allocating and distributing commercial lands for retail service and office facilities in quantities and patterns based on accepted planning principals and standards.

The Project will contribute to meeting this goal by developing an underutilized parcel in close proximity to the major pedestrian-oriented thoroughfares of Hollywood and Sunset Boulevards. The proposed Project will improve an existing private parking structure to its highest and best use by developing an upscale hotel and ancillary amenities that service patrons and residents of the surrounding neighborhood. The Project will serve public convenience by addressing the deficiency of hotel rooms currently experienced by residents of the neighborhood that would benefit from having lodging amenities for visitors. By addressing this deficiency, the Project will contribute to sustaining Hollywood's tourism industry by increasing the attractiveness and convenience of lodging within the area. Additionally, the proposed Project will reduce traffic congestion by providing lodging opportunities in Hollywood, rather than having tourists stay in other locations and drive to Hollywood. The improved tourist facilities will contribute to Hollywood's tax base through the transient occupancy tax, and will spur fresh economic growth. Additionally, the proposed improvements and economic investments will increase Hollywood's desirability, thus raising the marketability of residential units in the area and sustaining economic well-being. The

Project will support the revitalization of Hollywood as an entertainment center and contribute to the redevelopment's economic benefits to the community.

3. *That the project is consistent with any applicable adopted redevelopment plan.*

The Project is located within the Hollywood Redevelopment project area, and is governed by the Redevelopment Plan. Section 506.2.3 of the Hollywood Redevelopment Plan provides that for development in the Regional Center Commercial designation shall not exceed FAR 4.5:1 unless an agreement is reached with the CRA. The Project proposes an FAR of approximately 5.3:1 FAR and the Applicant is working with the CRA to enter into an agreement to permit the Project's requested FAR. In addition, a number of the Plan's goals and objectives are met as follows:

a) To concentrate high intensity and or density development in areas with reasonable proximity or direct access to high capacity transportation facilities or which effectively utilize transportation demand management programs.

The Project is located approximately 1,200 feet from the MTA subway portal for the Red Line, and located in close proximately to major bus stops along Hollywood and Sunset Boulevards, and Cahuenga Avenue. All of these immediate transportation outlets provide maximum opportunity for Project patrons to utilize mass transit facilities for shopping and traveling to nearby facilities within Hollywood, Downtown Los Angeles, and the surrounding region.

b) To support and promote Hollywood as the center of the entertainment industry and a tourist destination through the retention, development and expansion of all sectors of the entertainment industry and other preservation of landmarks related to the entertainment industry.

The proposed Project will provide tourists with a much needed, creatively designed boutique hotel in the heart of Hollywood's entertainment district. Hollywood is currently undergoing a major revitalization in an attempt to improve facilities for visitors and residents. Hotel accommodations are necessary to create successful tourist destinations and regional entertainment centers. As evidenced by the large number of tourists that patronize hotels in such areas as Santa Monica and Beverly Hills, Hollywood does not currently provide many lodging options for visitors. Additionally, many of the current options suffer from various states of disrepair. A large portion of the tourists attracted to the revitalized Hollywood community will seek an upscale, unique lodging experience to compliment the rejuvenated entertainment district. The Project addresses this deficiency of hotel accommodations by providing a creative option to accommodate the increasing numbers of tourists.

c) To promote the development of Hollywood Boulevard within the Hollywood commercial core as a unique place which provides facilities for tourists and is pedestrian-oriented.

The Project proposes to provide an upscale hotel and related amenities to increase the number of options and improve the facilities currently offered to Hollywood tourists. The Project will not only provide accommodations for tourists, but it will attract tourists to the neighborhood and facilitate Hollywood Boulevard's pedestrian-oriented development by improving the likelihood that tourists will walk from their Hollywood hotel room to various entertainment and transportation uses around the community. Tourists will have the ability to walk from their hotel room to a variety of entertainment and cultural activities within Hollywood, thus enhancing the pedestrian-oriented nature of the community. The Project's proposed amenities will certainly cater to hotel patrons, but will also provide

area residents with an upscale restaurant and lounge. Hollywood residents have long been underserved with restaurant venues, and the current trend of developing interesting options for the dense residential population in Hollywood contributes to Hollywood Boulevard's pedestrian-friendly nature.

d) To provide for new development which complements the existing buildings in areas having architecturally and/or historically significant structures and to encourage appropriate development in areas that do not have architecturally and/or historically significant buildings.

The Project's architectural design will enhance the area's streetscape with design elements such as building surfaces that modulate with varying textures, colors, openings and insets that add interest. The Project's design encourages pedestrian traffic on Selma Avenue and within the Project's Alley by adding visual interest along the Project's frontages. The Project's proposed pedestrian alley will renovate a dilapidated throughway into a vibrant walkway where Project patrons and community residents can enjoy the Project's innovative design and upscale amenities.

4. *That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments, on the neighboring properties.*

a) Bulk, height and setbacks

The structure is designed to be consistent with Height District No. 2's maximum permitted 6:1 FAR. The Project will be contained within 73,814 square feet of floor area, which is consistent with approximately 5.3:1 FAR.

There are no maximum heights imposed in the C4-2 zone. Therefore, the Project must only comply with FAR requirements. Additionally, the Project is proposed to be nine stories in height.

The Project is not required to provide any ground level yards or above ground level setbacks.

The Project is designed such that the bulk, height and setbacks will be compatible with the surrounding uses. The Hollywood community is proposed for development activity consistent with the Project's height and density. Numerous projects have been approved which implement smart growth concepts of locating high-density developments along transit corridors. Moreover, the Project structure's height and bulk is consistent with the redevelopment that is occurring along Hollywood and Sunset Boulevards.

b) Off-street parking

There are a total of 107 parking spaces provided in one ground level and one above ground level parking area. The Applicant proposes to utilize valet parking services and mechanized lifts to accommodate the Project's generated parking demand. Furthermore, the Project is located within 1,200 feet of the MTA's Hollywood and Vine Red Line station and adjacent to major bus routes on Hollywood Boulevard, Sunset Boulevard, and Vine Street, thereby reducing the need to drive to or from the Property. The location of the Project near public transportation and the provision of all required parking on-site ensures that the Project is, and will remain, compatible with the area and will not contribute to a shortage of parking.

c) Loading areas

The Project will comply with all applicable provisions.

d) Lighting
Security and architectural lighting will be provided to protect the Project's patrons and residents, and to accent the building's design. All such lighting will be directed onsite to avoid any harsh glare or reflections to surrounding properties and uses.

e) Landscaping
The Project is proposed to include numerous green building elements. All landscaping will be designed to compliment the existing vegetation in the area, as well as the design of the Project.

f) Trash collection
The Project will comply with all applicable provisions.

5. *That the project incorporates feasible mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would substantially lessen the significant environmental effects of the project, and/or any additional findings as may be required by CEQA.*

The Mitigated Negative Declaration was prepared which addresses any potential environmental impacts and appropriate mitigation measures have been included in the Conditions of Approval.

6. *That any project containing residential uses provides its residents with appropriate type and placement of recreational facilities and service amenities in order to improve habitability for the residents and minimize impacts on neighboring properties where appropriate. (For Residential Projects Only.)*

N/A

7. The Transportation Element of the General Plan will be affected by the recommended action herein. However, any necessary dedication and/or improvement of adjoining streets will assure compliance with this Element of the General Plan and with the City's street improvement standards pursuant to Municipal Code Section 17.05.

8. The Sewerage Facilities Element of the General Plan will be affected by the recommended action. However, requirements for construction of sewer facilities to serve the subject project and complete the City sewer system for the health and safety of City inhabitants will assure compliance with the goals of this General Plan Element.

9. Environmental. For the reasons set forth in Proposed Mitigated Negative Declaration No. ENV 2007-3932-MND, the project will not have a significant effect on the environment.

EXHIBIT E

6417 W Selma Ave

Permit #:

Plan Check #: B16LA10612

Event Code:

13010 - 10006 - 03647

Printed: 12/07/16 09:17 AM

Bldg-Alter/Repair **GREEN - MANDATORY**
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

Issued on: 12/07/2016
Last Status: Issued
Status Date: 12/07/2016

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
SACKETT TRACT		14		M B 16-150	148-5A187 250	5546 - 007 - 022
SACKETT TRACT		13	2	M B 16-150	148-5A187 266	5546 - 007 - 022
SACKETT TRACT		12	2	M B 16-150	148-5A187 282	5546 - 007 - 022
SACKETT TRACT		11	2	M B 16-150	148-5A187 302	5546 - 007 - 022

3. PARCEL INFORMATION

Area Planning Commission - Central
LADBS Branch Office - LA
Council District - 13
Certified Neighborhood Council - Central Hollywood
Community Plan Area - Hollywood
Census Tract - 1907.00
District Map - 148-5A187
Energy Zone - 9
Fire District - 1 (Entire parcel)
Near Source Zone Distance - .8
Thomas Brothers Map Grid - 593-F4

ZONES(S): (T)(Q)C4-2D

4. DOCUMENTS

ZI - ZI-1352 Hollywood Redevelopment Proje	ORD - ORD-165660-SA90	MODF - 05/23/14 (LOADING AREA WITHI
ZA - ZA-2003-4377-CUB-1A	ORD - ORD-173562	MODF - 06/03/14 (TOTAL DOOR IN LIEU (
ZA - ZA-2006-4883-CUB-CUX	ORD - ORD-180381	MODF - 06/06/14 (TO INCREASE UNPROT
ORD - ORD-129944	MODF - 05/23/14 (ALLOW START CONSTI	MODF - 06/11/14 (NON-COMBUSTIBLE PI

MODF - 07/07/14 (10TH FLR POOL DECK '		
DTRM - DIR-2010-2962-CLQ		
CRA - ZI 1352 HOLLYWOOD		
CPC - CPC-1986-835-GPC		

5. CHECKLIST ITEMS

Special Inspect - Anchor Bolts
Special Inspect - Field Welding
Fabricator Reqd - Shop Welds
Fabricator Reqd - Structural Steel
Permit Flag - Fire Life Safety Clearnce Reqd
Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
DOUBLE HD LLC
5155 ROSECRANS AVE STE 361, HAWTHORNE CA 90250 -- (310) 364-0303
Tenant:

Applicant: (Relationship: Agent for Owner)
KIMBERLINA WHETTAM -
241 S FIGUEROA ST 370, SUITE 6, LOS ANGELES, CA 90012 -- (818) 427-2154

For Cashier's Use Only

W/O #: 31003647

7. EXISTING USE	PROPOSED USE
(11) Hotel	
(17) Restaurant	

8. DESCRIPTION OF WORK

**SUPPLEMENTAL PERMIT TO 13010-10000-03647. REVISE ROOF TOP RESTAURANT CONFIGURATION; AND ADDITIONAL COVERED FLOOR AREA

9. # Bldgs on Site & Use: SUPPLEMENTAL

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Bidyut Rath
DAS PC By: Eddie Garin
OK for Cashier: Sharon Khaw
Coord. OK:
Signature: Sharon Kh
Date: 12/07/2016

11. PROJECT VALUATION Final Fee Period

Permit Valuation: $250,000
PC Valuation:

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

Plot Plan

SK

For inspection requests, call toll-free **(888) LA4BUILD (524-2845)**. Outside LA County, call (213) 482-0000 or request inspections via **www.ladbs.org.** To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

* P 1 3 0 1 0 1 0 0 0 6 0 3 6 4 7 F N *

LA ESTE 104098505 12/7/2016 9:17:34 AM

BUILDING PERMIT COMM	$1,555.75
BUILDING PLAN CHECK	$0.00
BUILDING PLAN CHECK	$0.00
PLAN MAINTENANCE	$31.12
EI COMMERCIAL	$70.00
ONE STOP SURCH	$33.14
SYSTEMS DEVT FEE	$99.41
CITY PLANNING SURCH	$95.21
MISCELLANEOUS	$10.00
PLANNING GEN PLAN MAINT SURCH	$79.34
CA BLDG STD COMMISSION SURCHARGE	$10.00
BUILDING PLAN CHECK	$0.00
Sub Total:	$1,983.97

Permit #: 130101000603647
Building Card #: 2016LA73891
Receipt #: 0104666720

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

13010 - 10006 - 03647

(P) Floor Area (ZC): +648 Sqft / 80057 Sqft
(P) Height (BC): 0 Feet / Feet
(P) Height (ZC): 0 Feet / Feet
(P) Highrise Building
(P) Length: 0 Feet / Feet
(P) Stories: 0 Stories / Stories
(P) Width: 0 Feet / Feet
(P) NFPA-13 Fire Sprinklers Thru-out
(P) Gypsum Board Shearwall
(P) A2 Occ. Group: +1784 Sqft / Sqft
(P) Parking Req'd for Bldg (Auto+Bicycle): 0 Stalls / Stall
(P) Parking Req'd for Bldg (Auto+Bicycle): +2 Stalls / 93 St
(P) Provided Compact for Bldg: 0 Stalls / 73 Stalls
(P) Provided Disabled for Bldg: 0 Stalls / 4 Stalls
(P) Provided Offsite for Bldg: +76 Stalls / 90 Stalls
(P) Type I-B Construction
(P) Roof Construction - Composite Deck
(P) Wall Construction - Metal Stud

14. APPLICATION COMMENTS:

** Approved Seismic Gas Shut-Off Valve may be required. ** All parking issues for the building and site shall be resolved and updated before Certificate of Occupancy is issued. All occupacy group and occupancy loads shall be resolved and updated before the Certificate of Occupancy is issued. Allowable opening protection issue on North Side shall be resolved before the Certificate of Occupancy is issued. 90 offsite parking covenant agreement 20160667379 dated 6/9/2016 Pemit is issued per instruction of supervisors (Vicor Cuevas, & Peter Kim) dated 12/6/2016

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) ROCKEFELLER, DARRELL S	620 24TH PLACE,	HERMOSA BEACH, CA 90254		C14927	(310) 335-6000
(C) FIVE CHAIRS CONSTRUCTION	1605 CAHUENGA BLVD,	LOS ANGELES, CA 90028	B	488672	(310) 360-0303
(E) BAINS, GAGAN PRIT SINGH	307 N SANTA ANITA AVE STE B,	ARCADIA, CA 91006		S4482	(562) 574-1425

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: **B** License No.: **488672** Contractor: **FIVE CHAIRS CONSTRUCTION**

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

(X) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: **TBD** Policy Number: **AWL003080**

( ) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address : _____

21. FINAL DECLARATION

I certify that I have read this application **INCLUDING THE ABOVE DECLARATIONS** and state that the above information **INCLUDING THE ABOVE DECLARATIONS** is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: **DEMIEN FARRELL** Sign: _____ Date: **12/07/2016** ☐ Contractor ☒ Authorized Agent

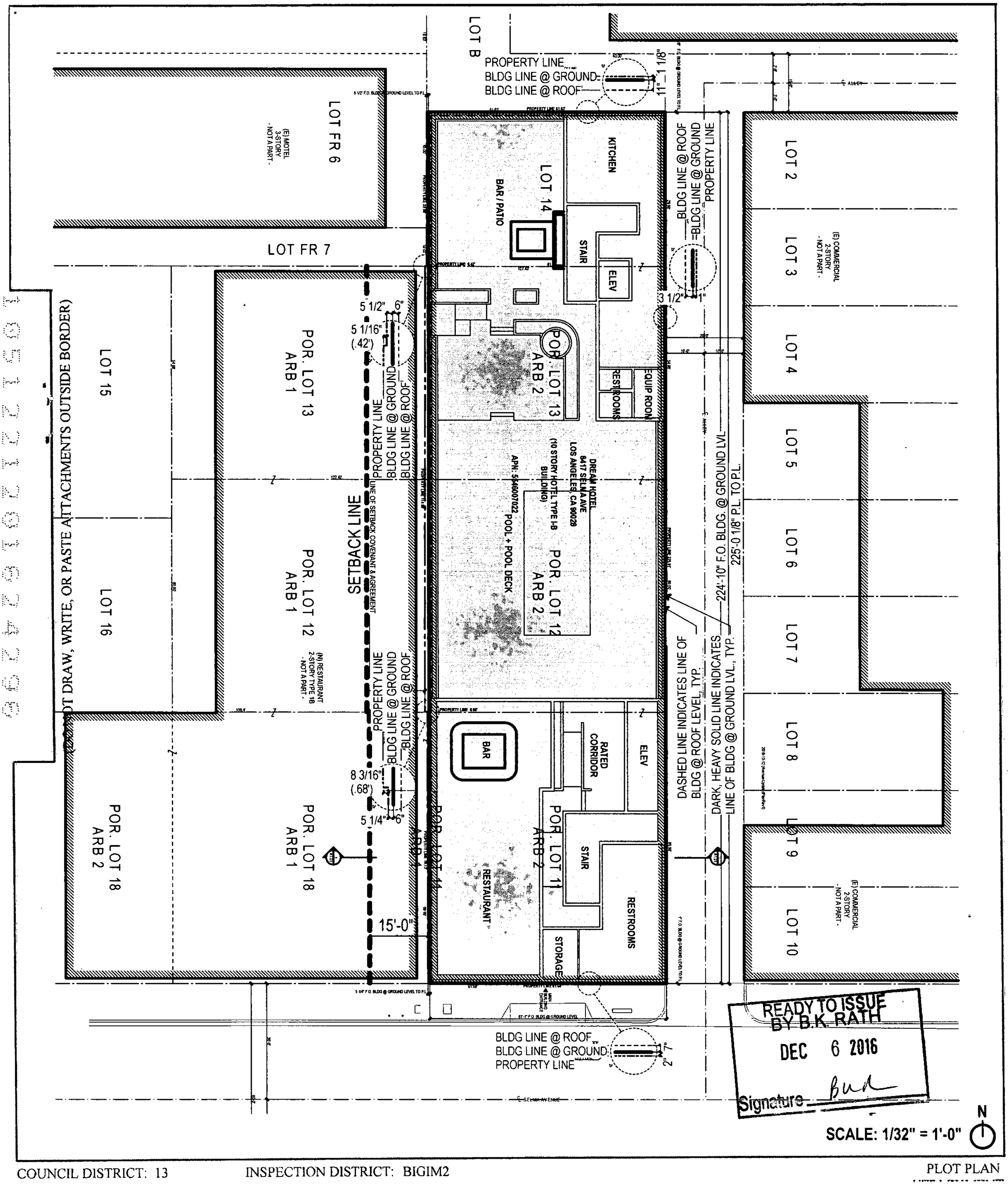
6417 W Selma Ave Permit Application # : **13010 - 10006 - 03647**

Bldg-Alter/Repair
Commercial
Plan Check

City of Los Angeles - Department of Building and Safety

PLOT PLAN ATTACHMENT

Plan Check #: B16LA10612FO
Initiating Office: METRO
Printed on: 12/06/16 09:34:53



COUNCIL DISTRICT: 13 INSPECTION DISTRICT: BIGIM2

PLOT PLAN

EXHIBIT F

6417 W Selma Ave

Permit #:

Plan Check #: B16LA10949

Event Code:

13010 - 10007 - 03647

Printed: 02/14/17 08:03 AM

Bldg-Alter/Repair **GREEN - MANDATORY**
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY

Issued on: 02/14/2017
Last Status: Issued
Status Date: 02/14/2017

1. TRACT	BLOCK	LOT(s)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
SACKETT TRACT		14		M B 16-150	148-5A187 250	5546 - 007 - 022
SACKETT TRACT		13	2	M B 16-150	148-5A187 266	5546 - 007 - 022
SACKETT TRACT		12	2	M B 16-150	148-5A187 282	5546 - 007 - 022
SACKETT TRACT		11	2	M B 16-150	148-5A187 302	5546 - 007 - 022
SACKETT TRACT		LT C		M B 16-150	148-5A187 369	5546 - 007 - 038

3. PARCEL INFORMATION

Area Planning Commission - Central
LADBS Branch Office - LA
Council District - 13
Certified Neighborhood Council - Central Hollywood
Community Plan Area - Hollywood
Census Tract - 1907.00
District Map - 148-5A187
Energy Zone - 9
Fire District - 1 (Entire parcel)
Near Source Zone Distance - .8
Thomas Brothers Map Grid - 593-F4

ZONES(S): (T)(Q)C4-2D

4. DOCUMENTS

ZI - ZI-1352 Hollywood Redevelopment Proje	ORD - ORD-165660-SA90	MODF - 05/23/14 (LOADING AREA WITHI
ZA - ZA-2003-4377-CUB-1A	ORD - ORD-173562	MODF - 06/03/14 (TOTAL DOOR IN LIEU C
ZA - ZA-2006-4883-CUB-CUX	ORD - ORD-180381	MODF - 06/06/14 (TO INCREASE UNPROT
ORD - ORD-129944	MODF - 05/23/14 (ALLOW START CONSTI	MODF - 06/11/14 (NON-COMBUSTIBLE PF
MODF - 07/07/14 (10TH FLR POOL DECK		
DTRM - DIR-2010-2962-CLQ		
CRA - ZI 1352 HOLLYWOOD		
CPC - CPC-1986-835-GPC		

5. CHECKLIST ITEMS

Permit Flag - Fire Life Safety Clearnce Reqd
Std. Work Descr - Seismic Gas Shut Off Valve

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
DOUBLE HD LLC
5155 ROSECRANS AVE STE 361, HAWTHORNE CA 90250 -- (310) 364-0303
Tenant:

Applicant: (Relationship: Architect)
CHRIS DAUBERT -
201 ARENA STREET, EL SEGUNDO, CA 90245 -- (310) 335-6000

For Cashier's Use Only

W/O #: 31003647

7. EXISTING USE	PROPOSED USE
(11) Hotel	(11) Hotel
(08) Garage - Public	(13) Office
	(08) Garage - Public

8. DESCRIPTION OF WORK

Supplementa 13010-10000-03647. Convert parking areas at levels (1st story and 2nd story levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces, to document FAR, Building Area, Parking.

9. # Bldgs on Site & Use:

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Bidyut Rath
DAS PC By: Eddie Garin
OK for Cashier: Natalie Zarate Roberts
Coord. OK:
Signature: Natalie Zarate
Date: 02/14/2017

11. PROJECT VALUATION Final Fee Period

Permit Valuation: $300,000
PC Valuation: $0

Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

Plot Plan

For inspection requests, call toll-free **(888) LA4BUILD (524-2845)**. Outside LA County, call (213) 482-0000 or request inspections via **www.ladbs.org**. To speak to a Call Center agent, call **311**. Outside LA County, call (213) 473-3231.

* P 1 3 0 1 0 1 0 0 0 7 0 3 6 4 7 F N *

LA JEAN 103101029 2/14/2017 8:03:30 AM

BUILDING PERMIT COMM	$1,770.13
BUILDING PLAN CHECK	$0.00
BUILDING PLAN CHECK	$0.00
PLAN MAINTENANCE	$35.40
EI COMMERCIAL	$84.00
DEV SERV CENTER SURCH	$56.69
SYSTEMS DEVT FEE	$113.37
CITY PLANNING SURCH	$108.33
MISCELLANEOUS	$10.00
PLANNING GEN PLAN MAINT SURCH	$90.28
CA BLDG STD COMMISSION SURCHARGE	$12.00
BUILDING PLAN CHECK	$0.00
Sub Total:	$2,280.20

Permit #: 130101000703647
Building Card #: 2017LA77172
Receipt #: 0103694173

13. STRUCTURE INVENTORY (Note: Numeric measurement data in the format "number / number" implies "change in numeric value / total resulting numeric value")

13010 - 10007 - 03647

(P) Floor Area (ZC): +13726 Sqft / 93783 Sqft
(P) Height (BC): 0 Feet / Feet
(P) Height (ZC): 0 Feet / Feet
(P) Length: 0 Feet / Feet
(P) Stories: 0 Stories / Stories
(P) Width: 0 Feet / Feet
(P) A2 Occ. Group: +2571 Sqft / 12503 Sqft
(P) B Occ. Group: +2926 Sqft / 2926 Sqft
(P) M Occ. Group: +795 Sqft / 795 Sqft
(P) S1 Occ. Group: +613 Sqft / 613 Sqft
(P) S2 Occ. Group: -20944 Sqft / 2015 Sqft
(P) U Occ. Group: +1762 Sqft / 4287 Sqft
(P) A2 Occ. Load: +228 Max Occ. / 726 Max Occ.
(P) B Occ. Load: +22 Max Occ. / 22 Max Occ.
(P) M Occ. Load: +27 Max Occ. / 27 Max Occ.,
(P) S1 Occ. Load: +13 Max Occ. / 13 Max Occ.
(P) S2 Occ. Load: -78 Max Occ. / 10 Max Occ.
(P) U Occ. Load: +6 Max Occ. / 15 Max Occ.
(P) Long Term Bicycle Parking Provided for Bldg: +4 Spaces /
(P) Long Term Bicycle Parking Req'd for Bldg: +4 Spaces / 16
(P) Parking Req'd for Bldg (Auto+Bicycle): +2 Stalls / 95 St
(P) Provided Compact for Bldg: -73 Stalls / 0 Stalls
(P) Provided Disabled for Bldg: -4 Stalls / 0 Stalls
(P) Provided Offsite for Bldg: +5 Stalls / 95 Stalls
(P) Short Term Bicycle Parking Provided for Bldg: +4 Spaces
(P) Short Term Bicycle Parking Req'd for Bldg: +4 Spaces / 1

14. APPLICATION COMMENTS:

** Approved Seismic Gas Shut-Off Valve may be required. ** Standard Offsite Parking Spaces 57, Compact Offsite Parking Spaces 34, and DAS Offsite Parking Spaces 4 by lease agreement. Bicycle parking was not captured in the original permit 13010-10000-03647 (11 long term and 11 short term were required and provided). Also in supplemental permit 13010-10006-03647 (additional 1 (one) long term & 1 (one) short term were required and provided) . These bicycle parkings are captured in this permit. The plan, and parking space requirements are acceptable for this permit per Supervisor (Minye Pak).

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) ROCKEFELLER, DARRELL S	620 24TH PLACE,	HERMOSA BEACH, CA 90254		C14927	(310) 335-6000
(C) FIVE CHAIRS CONSTRUCTION	1605 CAHUENGA BLVD,	LOS ANGELES, CA 90028	B	488672	(310) 360-0303
(E) BAINS, GAGAN PRIT SINGH	307 N SANTA ANITA AVE STE B,	ARCADIA, CA 91006		S4482	(562) 574-1425

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 488672 Contractor: FIVE CHAIRS CONSTRUCTION

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

(X) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: TBD Policy Number: AWL003080

( ) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): Lender's Address :

21. FINAL DECLARATION

I certify that I have read this application **INCLUDING THE ABOVE DECLARATIONS** and state that the above information **INCLUDING THE ABOVE DECLARATIONS** is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: DEMIEN FARRELL Sign: Date: 02/14/2017 ☐ Contractor ☒ Authorized Agent

6417 W Selma Ave

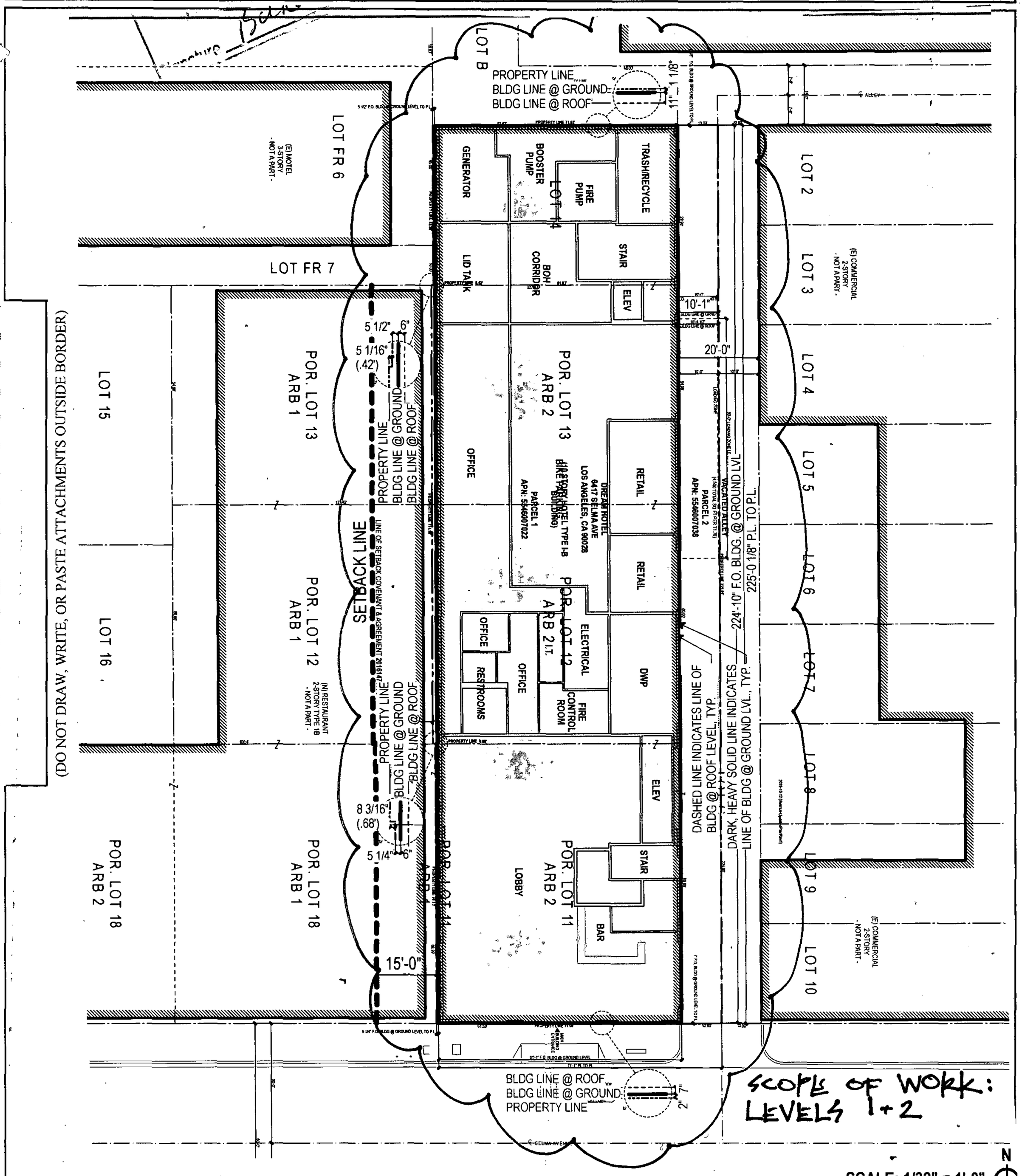
Permit Application # : **13010 - 10007 - 03647**

Bldg-Alter/Repair
Commercial
Plan Check

City of Los Angeles - Department of Building and Safety

PLOT PLAN ATTACHMENT

Plan Check #: B16LA10949FO
Initiating Office: METRO
Printed on: 02/13/17 11:28:15



(DO NOT DRAW, WRITE, OR PASTE ATTACHMENTS OUTSIDE BORDER)

COUNCIL DISTRICT: 13 INSPECTION DISTRICT: BIGIM2

PLOT PLAN

EXHIBIT G

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles
CALIFORNIA

ERIC GARCETTI
MAYOR

OFFICE OF THE CITY CLERK

Council and Public Services Division
200 N. SPRING STREET, ROOM 395
LOS ANGELES, CA 90012
GENERAL INFORMATION - (213) 978-1133
FAX: (213) 978-1040

SHANNON HOPPES
DIVISION MANAGER

CLERK.LACITY.ORG

When making inquiries relative to this matter, please refer to the Council File No.: 14-1089

OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

January 15, 2016

Council File No.: 14-1089

Council Meeting Date: January 13, 2016

Agenda Item No.: 48

Agenda Description: CONTINUED CONSIDERATION OF PROTESTS, CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249).

Council Action: PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT AND AMENDING MOTION (O'FARRELL - BUSCAINO) - ADOPTED

Council Vote:

ABSENT	BOB BLUMENFIELD
YES	MIKE BONIN
YES	JOE BUSCAINO
YES	GILBERT A. CEDILLO
YES	MITCHELL ENGLANDER
YES	FELIPE FUENTES
YES	MARQUEECE HARRIS-DAWSON
YES	JOSE HUIZAR
YES	PAUL KORETZ
YES	PAUL KREKORIAN
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	DAVID RYU
YES	HERB WESSON

HOLLY L. WOLCOTT
CITY CLERK

ITEM No. 48 - A

MOTION

I MOVE that the matter of the Continued Consideration of Protests, Categorical Exemption and Public Works and Gang Reduction Committee Report relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249), Item No. 48 on today's Council Agenda (CF 14-1089), BE AMENDED to adopt the following changes (indicated in underlining for additions and strikeout for deletions) to the recommendations and conditions contained in the City Engineer's report dated August 14, 2015:

RECOMMENDATIONS:

A. That street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right- of-way indicated below and shown colored blue and orange on the attached Exhibit "B", and that the limits of the vacation area be permitted to be adjusted based on the final design of the adjoining alley improvements.:

The north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.

~~B. That the vacation of the area shown colored orange on Exhibit "B", be denied.~~

CONDITIONS:

~~6. That the following dedications be provided adjoining the petitioner's property in a manner satisfactory to the City Engineer~~

~~a.) Dedicate or retain from the vacation sufficient area as public right-of-way to provide for a turning area at the westerly terminus of the remaining east/west alley northerly of Selma Avenue.~~

~~b.) Dedicate a partial future alley turnaround area, based on a 20-foot radius property line return on the northeasterly corner of Lot 14, Sackett Tract, adjoining the retained vacation area.~~

7. That the following improvements be constructed adjoining the petitioner's property in a manner satisfactory to the City Engineer:

~~a.) Construct a modified turning area at the westerly terminus of the remaining east/west alley northerly of Selma Avenue.~~

b.) Repair and/or replace all broken, off-grade or missing concrete pavement along the remaining alley northerly of Selma Avenue.

c.) Repair and/or replace all broken, off-grade, or missing sidewalk, curb and gutter along Selma Avenue.

d.) Close the alley intersection at Selma Avenue with standard curb, gutter and sidewalk or construct standard driveway apron.

e.) That all drainage matters be addressed to the satisfaction of the City Engineer, including that any necessary provisions be made to collect or divert any surface flows from impounding within the area to be vacated, unless drainage easements are to be reserved from the vacation.

12. That a Covenant and Agreement be recorded satisfactory to the City Engineer preserving an area for vehicular turnaround purposes on the northern 30 linear feet of the area to be vacated shown colored orange on the attached Exhibit "B".

13. That a Covenant and Agreement be recorded satisfactory to the City Engineer providing that no structure shall be erected on the vacation area, and that it shall be used and maintained as a pedestrian plaza.

PRESENTED BY: _____
MITCH O'FARRELL
Councilman, 13th District

SECONDED BY: _____

January 13, 2016ak

File No. 14-1089

CONSIDERATION OF PROTESTS, CATEGORICAL EXEMPTION and PUBLIC WORKS AND GANG REDUCTION COMMITTEE REPORT relative to vacation proceedings for the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue (VAC - E1401249).

Recommendations for Council action:

1. CONSIDER protests relative to the proposed vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.

2. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is exempt from the California Environmental Quality Act of 1970, pursuant to Article III, Class 5(3) of the City's Environmental Guidelines.

3. FIND that the street vacation proceedings pursuant to the Public Streets, Highways and Service Easements Vacation Law be instituted for the vacation of the public right-of way indicated below and shown colored blue on Exhibit B of the August 14, 2015 City Engineer report:

   The north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue.

4. FIND that the vacation of the area shown colored orange on Exhibit B of the August 14, 2015 City Engineer report be denied.

5. FIND that there is a public benefit to the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue. Upon vacation of the alley, the City is relieved of its ongoing obligation to maintain the right-of-way. In addition, the City is relieved of any potential liability that might result from continued ownership of the involved street easement.

6. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is in substantial conformance with the purposes, intent and provisions of the General Plan, in conformance with Section 556 of the City Charter.

7. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is not necessary for non-motorized transportation facilities, in conformance with Section 892 of the California Streets and Highways Code.

8. FIND that the vacation of the north/south alley westerly of Cahuenga Boulevard between Selma Avenue and the east/west alley northerly of Selma Avenue is not necessary for present or prospective public use, in conformance with Section 8324 of the California Streets and Highways Code.

9. ADOPT the City Engineer's report dated August 14, 2015 with the conditions contained therein.

Fiscal Impact Statement: The City Engineer reports that the petitioner has paid a fee of $14,980.00 for the investigation of this request pursuant to Section 7.42 of the Los Angeles Administrative Code (LAAC). Any deficit fee to recover the cost pursuant to LAAC Section 7.44 will be required of the petitioner. Maintenance of the public easement by City forces will be eliminated.

Community Impact Statement: None submitted.

SUMMARY

In a report to Council dated August 14, 2015, the City Engineer discusses the alley vacation described above. The City Engineer reports that the petitioner, Michael Gonzales of Gonzales Law Group, representing the property owner, requests the vacation of the public alley areas shown colored blue and orange. The purpose of the vacation request is to provide a pedestrian plaza in conjunction with a hotel at 6417 Selma Avenue abutting the alley. The City Engineer recommends approval of the vacation colored blue and denial of the area colored orange as shown in Attachment B of the August 14, 2015, report to Council.

At its meeting held September 14, 2015, the Public Works and Gang Reduction Committee recommended that Council approve the City Engineer's recommendations and conditions relative to the proposed alley vacation.

Respectfully Submitted,

PUBLIC WORKS AND GANG REDUCTION COMMITTEE

MEMBER	VOTE
BUSCAINO:	YES
MARTINEZ:	YES
PRICE:	ABSENT
O'FARRELL:	YES
RYU:	YES

jaw

-NOT OFFICIAL UNTIL COUNCIL ACTS-

EXHIBIT H

LINN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS
R. NICOLAS BROWN
SUE CHANG
LOURDES GREEN
CHARLES J. RAUSCH, JR.
JIM TOKUNAGA
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA

ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

MICHAEL J. LOGRANDE
DIRECTOR

OFFICE OF
ZONING ADMINISTRATION
200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012
(213) 978-1318
FAX: (213) 978-1334
www.planning.lacity.org

May 9, 2014

Richard Heyman (A)(O)
6417 Selma Hotel, LLC
1605 N. Cahuenga Blvd., Suite 203
Los Angeles, CA 90028

Michael Gonzales (R)
Gonzales Law Group, APC
555 South Flower Street, Suite 650
Los Angeles, CA 90071

CASE NO. ZA 2013-3504(ZV)
LETTER OF CORRECTION
6417 Selma Avenue
Hollywood Community Plan
Zone: (T)(Q)C4-2D
D.M.: 148.5A187
C.D.: 13
CEQA: ENV-2007-3932-MND
Legal Description: Lot 11, SACKETT TRACT

On April 4, 2014, in accordance with Los Angeles City Charter Section 562 and Municipal Code Section 12.27-B, the Zoning Administrator approved Variances to permit the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of no more than 5.8:1 and a height of 125 feet in ten stories. As a Condition of Approval the Zoning Administrator imposed Condition No. 8 which required all off-site parking be in place including evidence of a completed and signed parking lease prior to issuance of any building permit.

This condition was imposed because one of the approved variance requests was to permit off-site parking by lease in lieu of a recorded covenant. As currently written Condition No. 8 requires the Applicant to lease off-site parking during project construction (building permit issuance) anticipated to take 16 to 24 months. Operation of the hotel however will not begin until such time construction is completed and the parking demand for the hotel will begin at that time. It was not the intent of the Zoning Administrator to require off-site parking for hotel guests during hotel construction when there is no demand by hotel guests. Therefore Condition No. 8 is hereby clarified as follows:

8. *All off-site parking shall be in place including evidence of completed and signed leases prior to issuance of a Certificate of Occupancy ~~any building permits~~ or other utilization of zoning entitlements made herein.*

All other conditions of approval shall remain unchanged.

JIM TOKUNAGA
Associate Zoning Administrator

JT:jq

Oliver Netburn , City Planner
200 N. Spring St., Room 763
LA, CA 90012

May 28, 2020

RE: ZA-2013-3504-ZV-PA1
6415-6417 W. Selma Ave.

Dear Mr. Netburn and/or other appropriate City Planners,

I, and my neighborhood, have some serious concerns about case ZA-2013-3504-ZV-PA1. This project has a complicated case history and stretches back to at least 2008 when the original LOD (CPC 2007-3931 -ZC-HD-CUB-ZV-SPR) was issued. I will try to keep my comments as simple as possible but please realize that the applicant uses all the layers and convolution of the multiple entitlements to their advantage to "get away with things" and to game the system.

The Ordinance in question before you was a deviation from the zoning code. It was slightly modified by DIR-2010-2962-CLQ. The Ordinance then received significant changes via Case No. ZA-2013-3504-ZV. All three of these grants bestowed the property in question with benefits and privileges more generous than the zoning code. They were what the applicant had wanted and requested. The applicant did not adhere to what they asked for and received, and instead chose to cheat the system. There is no hardship that has been foisted upon them, only one that they have brought upon themselves. They were cheating and got caught.

First, a little background about the applicant/project/operation from a nearby resident's point of view: they suck. Yes, they're nice, they're polite, and they've invested money. They also lie, cheat, are devious, and do not care about the surrounding community. They've maintained an ongoing disruptive illegal business, a nightclub on the rooftop of this project, since three days after their opening. They are not allowed to have a nightclub on their rooftop, but they do, despite ongoing complaints from neighbors or LAPD enforcement. At one point, LADBS found their CUB for the rooftop invalid, but that only lasted a couple weeks (they are also well connected it seems).

You can see more of their shenanigans by looking at their hotel project right next door at 6421 Selma. Aside from their obvious piecemealing and subterfuge on the entitlement, please review the building permit history for 6421 Selma. They were claiming at first, and for a long time, that they intended to build three levels, approx. 60,000 sq. ft., of underground "storage". It seemed so ridiculous that not even Building & Safety bought their ruse. It has now been declared to be just what it looks like- parking., but for some reason they resisted calling it that and they for the longest time denied to DCP that they were intending to build another hotel there.

During the entitlement process, especially ZA-2013-3504-ZV, they swore and repeatedly promised that the rooftop would not be a nuisance. It clearly operates as a nightclub, and

even though it's CUB (CPC-2007-3931-ZC-HD-CUB-ZV-SPR) is very liberal, the intent of its conditions are clearly for it not to be a disruption and not be operated as a nightclub, which it clearly and obviously is. Despite culling favor from LAPD, I know it's been cited twice for Public Dancing (it is my understanding that the pool gets covered to turn into a dance floor), and two separate times for requiring an admission/cover charge/table fee to get in. Both of which are not allowed by the conditions. The cover charge violation is modus operandi.

Please, do not take my word for this. Please google "Dream Hotel" and "The Highlight Room". Read the reviews on Yelp, look at pictures. I would say to go by the location yourself, but thankfully one of the upsides of the Covid pandemic is that they've been closed, and we've gotten some relief. Please keep in mind that bars and nightclubs, including this one, don't even start to get loud and packed until 11:30PM-12 midnight. But if you were to visit, even at 9 or 10:00, I'd bet you dollars to donuts that you would not be allowed in. They have recently scrubbed their website of all incriminating pictures and tailored it for any official investigation. I also want to add that when I am impacted by noise, I just do not guess who the violator is. When I have the energy and intend to complain, I get up and trace the noise. After lying in bed past midnight and hearing songs clear as day, I have traced the noise many, many times to the Highlight Room. I am 1,409-feet away, according to Zimas. Videos have been posted to Youtube documenting the noise from Dream Hotel from almost a half mile away! Please see: https://www.youtube.com/watch?v=upVgkM5RDjg&feature=youtu.be

https://www.youtube.com/watch?v=TLmLFZVjyOM&feature=youtu.be

That is the main nuisance of what we deal with from them, but I must also point out the traffic congestion that they generate, because it's directly relevant to the case before you.

Their operation causes significant traffic issues, severely restricting traffic flow on both Selma and Cahuenga. Most times of the day, it's simply challenging. At night, 10PM onwards, it can be a major impact on flow. Please contact LAPD Officers Brian White (38074@lapd.online)or Ben Thompson(39467@lapd.online) for more specifics or corroboration. If the 77 on-site parking spaces had been built as originally required, it would not be an issue. But a 182-room hotel and active nightclub with no parking and only street valet service creates quite a traffic nightmare, especially on a smaller street as Selma combined with the busy cross street of Cahuenga a mere 125-feet away. The 77 spaces and the off-street drop-off/pick-up zone would make a huge difference in this impact. 77 cars would have arrived at this destination and been taken care of on-site, off the street, a public conveyance for all, not private use for one business. As it sits now and if this request is granted, not only is that not happening but additional traffic is generated by the valet now taking the car around the block. Which is extremely inefficient and unfair to the general public, and very advantages and beneficial to the applicant. I would say the many suffer for the rewards of the few, but it's not even a few, it's just one.

Case No. ZA-2013-3504-ZV, which approved and required, in part, the following:

1. Approval of a Variance from "Q" Condition No. 1 of Ordinance No. 180,381 to allow 79,376 square feet in lieu of 73,814 square feet and 4,581 square feet of commercial space in lieu of 17,045 square feet;
2. Approval of a Variance from "Q" Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR 5.3:1;
3. Conformance with Exhibit "A" (Condition No. 2), and
4. Provision of 77 on-site parking spaces (Condition No. 7).

It is now clear that Building Permit No. 13010-10007-03647, and the "conversion" of parking areas at the 1st and 2nd floor levels to retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces, violates the approvals and conditions under ZA-2013-3504-ZV in the following ways:

1. The floor area was increased to 93,783 square feet, 14,407 square feet above that which was approved.
2. The conversion of parking area to retail increases the commercial space beyond that which was approved.
3. While the adjacent alley was vacated, the FAR, inclusive of the vacated alley, is 5.81:1.
4. Exhibit "A" shows parking at the 1st and 2nd Floors, not retail, fitness center, storage, utility rooms, machine rooms, employee cafeteria, treatment room, trash and recycle, and office spaces.
5. The parking on provided on the 1st and 2nd Floors included the 77 on-site parking spaces.

First and foremost is the fact that this was not a "conversion" of parking to floor area. They never built the parking to convert. They had no intention of building the parking. I do not know what tricks they used to obtain the building permit but they should not be rewarded. They, and they alone, CHOSE to not build the parking and illegally add floor area. Why should the community continue to suffer for their gain?

Zone Variance Findings

All five findings for the Zone Variance CANNOT be made so the Variance must be DENIED. Specifically:

1. *That the strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.*

They brought any difficulties and hardship upon themselves; it has not been foisted upon them by the zoning regulations. Zone variance Case No. ZA-2013-3504-ZV that granted deviations from the Q Conditions of Ordinance 180,381 already gave them generous relief from the zoning code and relieved them from their earlier grant which also relieved them of the zoning code and anything that could be considered burdensome. THEY DID NOT ABIDE BY IT. How much relief do they need? It was their choice to ignore ZA-2013-3504-ZV. It's

plain that the City has already been generous in easing any burden or hardship and gave them what they had asked for. This game can't go on forever. One can claim to always be burdened by any zoning code; claiming so does not make it true. It was their choice to not build the parking and go over allowable floor area. Requiring that they meet already granted deviations of zoning ordinance is not a strict application of the ordinance, thus this finding cannot be made.

2. *That there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

There is nothing different about the subject property than any other nearby property, period. There's no special circumstance, size, shape or topography, etc from that of any other lot in area. There's not a cliff, lake, stream, sinkhole, train tracks, Indian Burial Grounds, alien landing site, waterfowl migration route, nuclear waste dump, historic feature, prehistoric feature, vortex, birthing cave, oil well- nothing, absolutely nothing is different about the lot than any other lot in the same zone and vicinity.

3. *That the variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question.*

They've already been given relief from zoning that other nearby properties do not possess, and there are no special circumstances and practical difficulties, except those they themselves have created, so there is no substantial property right they are lacking that nearby properties enjoy. There are zero other new construction projects nearby that violated their DCP conditions and have built zero of their required on-site parking spaces. They are not overburdened, they burdened themselves. There's a difference. The first one happens by an outside force being applied to another, the second one happens when one does something TO oneself. They are the second example. The property in question is not being denied a right that other properties have and in fact, the contrary is true: the property in question has already been granted special and unique rights that other properties in the area DON'T have.

4. *That the granting of the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

Granting the variance, and the applicant's refusal to adhere to DCP determinations, has been materially detrimental to public welfare and surrounding properties. Their valets take up all the street parking and create traffic jams and more traffic by increasing trips circling the block to other parking lots or street meters that they commandeer. Please inquire with LAPD VICE for confirmation of these problems. Or, go by yourself most evenings. This variance benefits them and only them and harms surrounding businesses and residents alike.

5. *That the granting of the variance will not adversely affect any element of the General Plan.*

The applicant states under their findings that "The granting of this variance request will not adversely affect any element of the General Plan because the Project is existing and no physical changes are proposed." Yes, they built the project how they wanted and ignored

DCP's LOD's. How does that justify or satisfy this finding? Not adhering to land grants undermines the General Plan.

Plan Approval Additional Findings

6. *That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.*

Granting of this Plan Approval will result in more and unnecessary traffic congestion which in turn will be a drain on surrounding businesses and further limit the mobility of the surrounding area. Adding the required on-site parking that they knowingly and willingly chose to ignore will help ease congestion. What hotels in the last 10 years have been granted zero onsite parking requirements in the City of LA? None. This sets a bad precedent. And none of the recently approved hotels in the immediate area have been granted zero on-site parking. There's even a by-right hotel a half block away on Cahuenga that built on-site parking.

7. *The Proposed Project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The Project's is not proposed, it is already built and has already degraded adjacent properties, the surrounding neighborhood, and public safety by failing to provide it's required 77 on site parking spaces.

Please note, Additional Condition 7 states *"operations....will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety."*

As I have previously pointed out, their operation is an ongoing nuisance in the community. The rooftop nightclub, supported directly by the increase in FAR and lack of on-site parking DOES degrade many peoples lives, quiet enjoyment of their property, and their health and well being. This has been well documented with LAPD and Youtube videos posted online.

In conclusion, even though the findings for the Zone Variance cannot be made, I would like to propose a compromise:

I will remove all opposition to the request IF:

The Q condition A.2 ii, hours of operation (page Q-1), is changed to:

- "the hotel's rooftop bar and lounge shall cease normal operation at or before 12:00AM midnight, every night of the week, without exception," except for normal clean-up etc. and this is for the WHOLE rooftop, inside and outside

- strike the language: "but can be utilized as a smoking area without music until 4:00 a.m."

AND:
- no special events on the rooftop (inside and outside)

- no amplified music on the rooftop (inside and outside)

- no background "ambient" music on the rooftop (inside and outside)

- The applicant shall not sublet the premises to outside "promoters" for nightclub activity. The premises shall not be used exclusively for private parties in which the general public is excluded. The owner/operator shall at all times retain operational control of the premises and utilize only the establishment's regular employees, own security staff and bar tenders for any private event. The establishment staff shall maintain an employee whose responsibility it will be to book events at the venue. Such bookings shall not be permitted to be handled by any outside promoters.

- Live Entertainment not allowed on the rooftop (inside and outside). Live entertainment may include live bands, acoustic performers or karaoke, provided the latter is not conducted in private rooms. Disc-jockey entertainment, whether amplified or ambient, is prohibited in all portions of the subject premises. No amplified music or amplified live entertainment is permitted in any patio or outdoor dining areas of the subject premises.

- Any amplified or ambient music, sound, noise or vibration emitted that is under the control or influence of the property owner/business operator, shall not constitute a violation of Sections 112.06 or 116.01 of the Los Angeles Municipal Code (Citywide Noise Ordinance) and shall not be audible or physically discernable beyond the subject premises. The property owner/business operator shall install a noise meter above all exterior entrances that shall be calibrated by an appropriate City Engineer/Inspector. The subject noise meter shall be installed within 60 days from the effective date of this determination. Any sound, noise, or vibration emitted, that is under the control of the petitioner(s) that is audible or physically discernable beyond the confines of the subject property, shall constitute a violation of Section 116.01 of the LAMC, including any loud, unnecessary or unusual noise that disturbs the peace or quiet of any neighborhood or that causes discomfort. The petitioner(s) and/or business operator(s) shall make every effort to control any unnecessary noise made by the employees of the restaurant, bar, or lounge facilities, or any noise associated with the operation of the restaurant, bar, and lounge , or equipment of the restaurant bar, and lounge facilities.

- Pursuant to Section 111.03, a Minimum Ambient Noise Level of 55d8 or better shall be maintained at the zone boundary (Hollywood Boulevard on the north, Wilcox to the west, Cahuenga Avenue to the east, and Selma Avenue to the south) of the subject restaurant/bar from the opening hours until the close of business, daily.

- No live entertainment features, no ambient music or other forms of amplified sound are permitted in the outdoor portions of the subject property, which are under the petitioner's control, The petitioner(s)is prohibited from installing, temporary placing, or otherwise using and sound amplification devices, systems, or instruments in any of the outdoor dining or

lounge areas of the subject premises. The petitioner(s) is similarly prohibited from projecting amplified music out onto the outdoor dining or lounge areas of the subject premises or otherwise permitting amplified or acoustic sounds, produced within the fully enclosed portions of the premises to extended from those portions to adjoining or adjacent outdoor dining or lounge areas under the petitioner(s) control.

- There shall be no Dance Floor arrangement permitted in the subject premises. Patron dancing is not permitted nor shall the Petitioner(s) accommodate or endorse dancing features in any fashion.

- Line queuing on any public sidewalk adjacent to the subject property is prohibited. Additionally, if the location meets its occupancy limit, patrons will not be permitted to wait in a line on 6415 Selma to gain later admission into the premises. The applicant(s) will be required to maintain the public sidewalks surrounding the subject premises free of obstruction whether the obstruction represents persons waiting to be admitted into the premises or semi-fixed objects such a barriers or stanchions commonly used for line queuing.

- The Zoning Administrator reserves the right to require that a Plan Approval application be filed pursuant to LAMC 12.24-M if there is a change in the operator or operators of the subject premises, or if it is determined that the at new operation at or within the subject property is not in substantial conformance with the approved floor plan, or has changed the mode or character from the original approval.

- Bottle and/or Table service involving the distribution of distilled spirits shall be prohibited. "Buckets" of beer and portable bars are prohibited. There shall be no "Minimum drink" required of patrons.

I think this is a more than fair proposition, considering all that the community has had to put up with from this applicant, and provides a actual benefit to the community. It is a win-win, for the applicant, and the residents of Hollywood. You will be modifying the Q Conditions anyway, why not add these protective conditions in and help innocent people who should not be negatively impact from this project?

Thank you for your time,

David Carrera
6530 Leland Way
Los Angeles, CA 90028

The Montalbán
1615 Vine Street, Hollywood, CA 90028

May 27, 2020

Oliver Netburn
LA Dept City Planning Commission
200 North Spring Street
Los Angeles, CA 90012

PROJECT SITE: Dream Hotel, 6415-6417 Selma Ave. Hollywood, CA 90028
Case Number: Case# ZA 2013 3504 ZV-PA1

Dear Oliver

I am Gilbert Smith, President of the Ricardo Montalbán Foundation, owner operator of The Montalbán Theatre and Rooftop Movies. We have with renovation and innovative new programming has positioned our theatre to be integral entertainment hub for Hollywood. This includes our now popular Rooftop Movies, live events, concerts and stage plays. The local community loves our offerings.

As a supporter of the original 2013 Selma Hotel project, I am pleased to provide my support again.

As a neighboring property owner, I have worked with the Relevant Group for many years and have been impressed with the quality of their projects.

These requests are not objectionable and simply modify entitlements to accurately reflect the built project.

The Dream Hotel has been an economic engine in our community that has contributed to the livability and walkability of Hollywood.

Thank you for your attention and consideration of our support for approval.

Sincerely,

GILBERT SMITH (323)461-6999 GilbertSmith@TheMontalban.com
President

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

Fwd: Dream Hotel, ZA-2013-3504-ZV-PA1

1 message

Oliver Netburn <oliver.netburn@lacity.org> Tue, Jun 2, 2020 at 9:35 AM
To: "Quon, Frank" <frank.quon@lacity.org>

——— Forwarded message ———
From: **Amy Ablakat** <amy.ablakat@lacity.org>
Date: Tue, Jun 2, 2020 at 9:13 AM
Subject: Dream Hotel, ZA-2013-3504-ZV-PA1
To: Oliver Netburn <oliver.netburn@lacity.org>, Craig Bullock <craig.bullock@lacity.org>

Hi Oliver,

Hope you are safe and well. We will be calling into the hearing today, but we wanted to relay our position prior to the hearing as well. Our office is requesting that the project be taken under advisement for a period of not less than 4 weeks.

Thank you for your time and consideration.

Amy

–

MITCH O'FARRELL #LACOUNCIL

Amy Ablakat
Planning Deputy
Office of Councilmember Mitch O'Farrell
200 N. Spring Street, Room 480, Los Angeles, CA 90012
(213) 473-7013 | www.cd13.com

Find the Councilmember on:

Sign up for the CD13 Newsletter at cd13.lacity.org for daily updates on COVID-19

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LOS ANGELES CITY PLANNING

Oliver Netburn
City Planner
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-1382
E-NEWS

Connect Create Collaborate

Oliver Netburn <oliver.netburn@lacity.org>

DREAM HOTEL

Thaddeus Hunter Smith <ths@thaddeus.ca> Sun, May 31, 2020 at 2:25 PM
To: oliver.netburn@lacity.org

Dream Hotel, 6415-6417 West Selma Avenue, Hollywood

Case# ZA 2013 3504 ZV-PA1

oliver.netburn@lacity.org

Dear Mr. Netburn,

I understand that the public hearing on June 2nd, is being held to align the original entitlements with the built form. Therefore, I offer my unconditional support for the above-referenced case. I do not, however, support the re-hashing of old issues raised at the original hearing which have no bearing on this matter.

The Relevant Group has contributed to Hollywood's renaissance and has proven to be a reliable community partner.

Sincerely,

Thaddeus Hunter Smith

Oliver Netburn , City Planner
200 N. Spring St., Room 763
LA, CA 90012

May 31, 2020

RE: ZA-2013-3504-ZV-PA1
6415-6417 W. Selma Ave.

Dear Mr. Netburn and/or other appropriate City Planners,

This letter is an addendum to my previous letter, dated May 28, 2020, on this matter.

In my May 28, 2020 letter, I went into some detail about the applicant's illegal use of the property (the nightclub rooftop) but I stayed away from talking about the CUB entitlement, and tried to stay focused on just the Zone Variance request. I did this because for the applicant's last case on this project, ZA-2013-3504-ZV , I argued extensively at the time that the related CUB case, CPC-2007-3931-ZC-HD-CUB-ZV-SPR, should be examined and amended. Not only was I not successful in that but the Zoning Administer was extremely dismissive of my written argument and in fact would not even let me talk about it at the hearing.

Due to that experience, I had decided to keep my comments firmly on the Zone Variance and Q Conditions. After further consideration, I feel that CUB comments are appropriate and should be heard and considered. My May 28th letter clearly spells out why I believe they should be heard (the applicant's rooftop nuisance nightclub).

To be clear, while the conditional use approved under CPC-2007-3931-ZC-HD-CUB-ZV-SPR was very generous, it was approved in the context of the hotel that was originally approved, which was a "120 guest rooms and suites within the third to ninth floors with ancillary uses not to exceed the square footage and seats as follows: (a) a 2,150 square foot ground floor lobby and bar/lounge; (b) on the eighth floor (i) an approximately 1,749 square foot kitchen; (ii) an approximately 4,994 square foot banquet/ballroom facility and ancillary terraces with a total of 264 seats; (iii) an approximately2,318 square foot courtyard with 18 seats; and (iv) two hotel suites totaling approximately 1,679 square feet." Put more simply, the conditional use was approved within a 120-room, nine-story hotel with a banquet/ballroom on the 8th floor, and as per Exhibit "A", a 9th floor which is partially enclosed, but primarily an outdoor rooftop space. Correspondingly, the conditional use that was approved was for the "on-site sale and consumption of a full line of alcoholic beverages in conjunction with the proposed hotel at the following locations: (1) first floor lobby bar; (2) 8th floor banquet facility with reception/courtyard area; (3) rooftop including restaurant uses with indoor and outdoor seating, a patio/pool lounge area, an outdoor bar and a wedding garden area; (4) controlled-access liquor cabinets to be located within the hotel rooms, and (5) the on-site sale of a full line of alcoholic beverages by way of room service."

When the 2013 zone variance was approved, it approved a 182-room hotel (in lieu of 120 rooms) within 10 stories (in lieu of 9 stories), with no banquet/ballroom on the 8th floor and no restaurant or patio/pool lounge area or outdoor bar and a wedding garden area on the 9th floor/rooftop, and now with "a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and restaurant with indoor and outdoor seating" when no such space was approved under CPC-2007-3931-ZC-HD-CUB-ZV-SPR. Though the point was raised at the time, the zone variance intentionally did not modify the CUB (or require that the CUB be modified) as the applicant argued that the CUB was not before the Zoning Administrator. Whether or not it would have been proper for the Zoning Administrator to require that the applicant obtain a new conditional use approval to be consistent with the requested zone variance, the facts are clear that the only applicable conditional use approval (the CUB approved under CPC-2007-3931-ZC-HD-CUB-ZV-SPR) is not consistent with the approved zone variance. The applicable CUB is limited to 120 rooms, within a 9-story hotel, with a banquet/ballroom on the 8th floor and a patio/pool lounge area or outdoor bar and a wedding garden area on the 9th floor/rooftop.

Therefore, it is well within the Zoning Administrator's authority, and would not conflict with the 2007 CUB, to impose conditions and restrictions relating to the additional 62 hotel rooms, and the 10th floor rooftop deck, as those were not approved under the 2007 CUB, and were only permitted under the 2013 zone variance, of which the current plan approval is subject to. The recommended conditions I provided in my previous letter would be applicable only to the 10th floor rooftop deck, clearly within the jurisdiction of the Zoning Administrator when acting upon the current plan approval to the zone variance which is the only document permitting a 10th floor rooftop deck.

My previous letter suggested conditions pertaining to the rooftop be applied to the Q Conditions, and I still stand by that, but I worry about enforcement. The applicant has not abided by DCP conditions in the past, I have my doubts they would respect them in the future. So maybe it would be best to amend the CUB, a document that LAPD and CA ABC are used to dealing with. Or even better, the conditions should be in both places.

Thank you,

David Carrera
6530 Leland Way
L.A., CA 90028

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

ZA-2013-3504-ZV-PA1, 6415-6417 Selma Ave.

2 messages

David Carrera <davidcarrera@prodigy.net> Fri, Aug 21, 2020 at 8:53 AM
To: "frank.quon@lacity.org" <frank.quon@lacity.org>, "oliver.netburn@lacity.org" <oliver.netburn@lacity.org>
Cc: Craig Bullock <craig.bullock@lacity.org>

Mr. Quon and Mr. Netburn,

It is my understanding that the record has been held open on this case through August. Regardless, I want raise some additional points that I failed to address in my May 28th and May 31st letters regarding ZA-2013-3504-ZV-PA1 at 6415-6417 Selma Ave.

There are 3 main issues I failed to raise in those letters or in my public comments at the June 2 Hearing. They are the lack of a loading zone space, the handicapped parking stall, and bicycle parking.

Loading Zone: There appears to NOT be one in the applicant's recently submitted material titled "Dream Hotel – Plan Approval,Fact Sheet (6-30-20)", and there is in fact NO loading zone in actuality, physically, in the currently built hotel as was previously required by the 2014 Zone Variance. ZA-2013-3504-ZV showed the loading space on the 2nd floor in the parking area (which was never built by the applicant). In the 2018 architectural plans submitted for this latest request before you, the loading zone is identified in the vacated alley 130-feet north of Selma, and maybe a "loading lift" and some combined loading area/bicycle parking on the ground floor. The "Dream Hotel – Plan Approval,Fact Sheet (6-30-20)" shows a combined "bike parking and receiving area" on the 1st floor but never mentions "loading". Where does a truck park and load/unload? There is in fact no loading space in what is built nor is there space in the vacated alley or a driveway apron to access it if there was. LAMC requires a loading zone, on the subject property. Now, there are tables, chairs, planters etc and no vehicle access. Plus, the applicant only owns half the alley. Could vehicles access the loading space without crossing the other half-width of the alley (and traveling on private property that is not a right-of-way)?

Handicapped Parking Stall: Again, there's a major discrepancy in what was approved in 2014, what was submitted in 2018, and what their latest materials show. The 2014 approval shows the handicapped spot on the first floor, the 2018 plan shows it in the alley right off of Selma, and the "Dream Hotel – Plan Approval,Fact Sheet (6-30-20)" doesn't show it at all. Poof-gone.

The reality is that it's on the street in the public right of way. But if it was where they said they were going to put it for the case before you per the submitted 2018 site plan:

- How does the public access the Handicapped stall? There's no curb cut off Selma. And would they need to back onto Selma to leave the space? Is this compliant with LAMC 12.21A4i? This configuration seems like it is not permitted.
- How does the public access the handicapped stall when the vacated alley is used for outdoor dining/drinking? Do the tables and planters get moved every time a handicapped patron comes?
- The handicapped stall is not located entirely on the property because the access walkway is on the other half of the alley. Has the owner of the other half-width of the alley recorded a covenant

to require maintenance of the handicapped space? This covenant is not even permitted by the LAMC which does not permit off-site parking for hotels, even with covenants.

- Is there adequate turning radius for a vehicle to access the space through the Cahuenga alley entrance? If they accessed it via Cahuenga, would they have to back out onto Cahuenga, a secondary highway?

Bicycle Parking: Similar deal as the above two items. In 2014 the spaces appear to be on the ground floor in front of the hotel. In the 2018 material there are 24 short-term spaces in the alley (blocking their half of the alley to get to the 2018 loading zone) and 36 long-term spaces inside the 1st floor. "Dream Hotel – Plan Approval,Fact Sheet (6-30-20)" says it's on the 1st floor but is unspecific. I hope a site visit takes place to ascertain where they are exactly.

I hope these issues make sense and are of concern to you and can be vetted by DCP. This project needs to apply for numerous variances from basic code requirements meant to facilitate public access to the site besides the one currently before you.

Regarding the loading zone, I reached out to a neighboring business owner of the hotel to get their experience. They wrote me back a lengthy email detailing many of the problems they experience with the hotel, but here is the excerpt about the loading:

" I'm not sure howthis Hotel was able to open without a loading dock or parking (still a mystery), I think there was some backdoor money with Garcetti to fast track this. To answer your question there is NO loading dock or area, they use our parking spot (Which we are constantly telling them to move) and the 2 loading zones one on the north side and one on the south side of the street. Most days Selma is so congested with so many commercial trucks unloading food, beverage and ect... for 4 locations Toa, Luchini's, Beauty and essex and the hotel "

Unfortunately, when I asked if I could share their response, they agreed, but only if they stayed anonymous because of fear of reprisal.

Can you please confirm receipt of this email?

Thank you,

David Carrera
6530 Leland Way
LA, CA 90028

Frank Quon <frank.quon@lacity.org> Mon, Aug 24, 2020 at 9:02 AM
To: David Carrera <davidcarrera@prodigy.net>
Cc: "oliver.netburn@lacity.org" <oliver.netburn@lacity.org>, Craig Bullock <craig.bullock@lacity.org>

Received, thank you.
[Quoted text hidden]
–

LOS ANGELES CITY PLANNING
Franklin N. Quon
Associate Zoning Administrator
Los Angeles City Planning
200 N. Spring St., Room 763
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Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

Dream Hotel Determination, ZA-2013-3504-ZV-PA1

1 message

Casey Maddren <cmaddren@gmail.com> Fri, Jul 3, 2020 at 10:08 AM
To: frank.quon@lacity.org

Dear Mr. Quon,

I just wanted to check in with you about the Dream Hotel. I think you said you'd be making a decision in about 30 days. I know you'll be sending a copy of the determination via US Mail, but I was wondering if you could also forward an electronic copy to me.

Thanks for your help.

Casey Maddren

Oliver -
Please add email to mailing list.
Thanks,
Frank

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

6417 Selma Holdings, LLC - Dream Hotel: Request for Additional Advisement Time

4 messages

Lauren Chang <lchang@sheppardmullin.com> Wed, Jul 1, 2020 at 2:14 PM
To: Frank Quon <frank.quon@lacity.org>
Cc: Oliver Netburn <oliver.netburn@lacity.org>, "Alfred Fraijo Jr." <afraijo@sheppardmullin.com>, Reuben Duarte <RDuarte@sheppardmullin.com>, Kira Teshima <KTeshima@sheppardmullin.com>

Dear Associate Zoning Administrator Quon,

As you know, this firm represents 6417 Selma Holdings, LLC (the "Applicant") in connection with Case Nos. ZA-2013-3504-ZV-PA1 and ENV-2018-7559-CE (Class 1) (the "Project"). At the public hearing for the Project on June 2, we understand that no action was taken on the Project and that it is currently under advisement for a 30-day period, set to expire on July 3.

On behalf of the Applicant, I am writing to respectfully request that the advisement period be extended an additional 30 days to Monday, August 3 to allow time for the Applicant to appropriately respond to comments raised at the public hearing, as well as the three comment letters received by City staff just days before the hearing. We also intend to submit supplementary findings for your consideration. This extension will provide the necessary time for the Applicant to appropriately respond to the comments received and for you to consider the additional materials prior to making your decision.

We have also prepared a Project fact sheet for your convenience. This document is attached and summarizes the approval and permitting history for this Project. Please let us know if you have any questions.

Best,

Lauren K. Chang

(she/her/hers)
+1 213-617-5588 | direct

+1 858-900-4959 | mobile
lchang@sheppardmullin.com | Bio

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333 South Hope Street, 43rd Floor
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www.sheppardmullin.com | LinkedIn | Twitter

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Dream Hotel Project Fact Sheet (7-1-20).pdf
3634K

Frank Quon <frank.quon@lacity.org> Wed, Jul 1, 2020 at 2:44 PM
To: Lauren Chang <lchang@sheppardmullin.com>
Cc: Oliver Netburn <oliver.netburn@lacity.org>, "Alfred Fraijo Jr." <afraijo@sheppardmullin.com>, Reuben Duarte <RDuarte@sheppardmullin.com>, Kira Teshima <KTeshima@sheppardmullin.com>

Hello Lauren,

Your request for additional time to respond to the testimony and additional materials is granted until August 3, 2020. I look forward to receiving your responses.

Sincerely,
Frank Quon
[Quoted text hidden]
--

LOS ANGELES CITY PLANNING

Franklin N. Quon
Associate Zoning Administrator
Los Angeles City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
Planning4LA.org
T: (213) 978-0496 | F: (213) 978-1334
E-NEWS

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Lauren Chang <lchang@sheppardmullin.com> Mon, Aug 3, 2020 at 5:10 PM
To: Frank Quon <frank.quon@lacity.org>
Cc: Oliver Netburn <oliver.netburn@lacity.org>, "Alfred Fraijo Jr." <afraijo@sheppardmullin.com>, Reuben Duarte <RDuarte@sheppardmullin.com>, Kira Teshima <KTeshima@sheppardmullin.com>

Hello Associate Zoning Administrator Quon,

I am following up on our previous request. We are still working with the applicant on the additional materials. As such, we would like to request an extension of the advisement period to **August 31**. Please let me know if you have any questions.

Best,

Lauren Chang

(she/her/hers)
SheppardMullin | Los Angeles
+1 213-617-5588 | direct

[Quoted text hidden]

Frank Quon <frank.quon@lacity.org> Tue, Aug 4, 2020 at 4:14 PM
To: Lauren Chang <lchang@sheppardmullin.com>
Cc: Oliver Netburn <oliver.netburn@lacity.org>, "Alfred Fraijo Jr." <afraijo@sheppardmullin.com>, Reuben Duarte <RDuarte@sheppardmullin.com>, Kira Teshima <KTeshima@sheppardmullin.com>

Hello Lauren,

Your request for additional time to respond to the testimony and additional materials is granted until August 31, 2020. .

Sincerely,
Frank Quon
[Quoted text hidden]

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

Dream Hotel

1 message

Deborah Belgum <debbiebel@aol.com> Thu, Jun 4, 2020 at 11:18 AM
Reply-To: Deborah Belgum <debbiebel@aol.com>
To: "frank.quon@lacity.org" <frank.quon@lacity.org>
Cc: "cmaddren@gmail.com" <cmaddren@gmail.com>, "davidcarrera@prodigy.net" <davidcarrera@prodigy.net>, "music4picture@gmail.com" <music4picture@gmail.com>

Dear Mr. Quon,

I am a resident of Whitley Heights in Hollywood. I had wanted to attend the June 2 hearing about the parking situation at the Dream Hotel on Selma Avenue but I had a previous commitment. Instead, these are my comments.

The Dream Hotel is a neighborhood problem that I have been following for the past TWO years. The hotel management has been absolutely irresponsible in their running of this hotel, which definitely has a Las Vegas vibe with loud roof-top parties. During the summer, an over-exuberant DJ blasts loud music at a poolside party on top of the hotel that can be heard nearly one mile away in our neighborhood.

Because music travels up rather than down, the Whitley Heights neighborhood has been doused with loud music on Sunday afternoons and Saturday evenings even though I and other neighbors have repeatedly complained about this to the hotel management. Management has done absolutely nothing to remedy this situation even though I have been told they were going to put in a new speaker system that would point music down rather than up.

This noise situation started two years ago when I noticed that on Sunday afternoons, while sitting outside, there was this thudding bass noise that washed over our neighborhood. When I finally figured out the source, I personally walked down to the hotel and asked to speak to the hotel manager, who the receptionist said was not in. When I asked for his business card, I was given a look that said, "Who do you think you are?" and she hesitated. But after insisting, I was given a card for the hotel manager.

I called him, leaving a message, but he did not call me back. Instead, the director of entertainment did call. We had a pleasant conversation and he said I was not the only person complaining. A nearby condo had called saying that music was coming into the residents' living rooms and they were not happy. The entertainment director said hotel management had done a sound check and that changes would be made and new speakers pointing down would be installed. He encouraged me to text him if the noise was intrusive. So I spent every Sunday that summer texting him to turn the music down and ask the DJ to stop shouting. When you can hear the exact words of what the DJ is saying from your own backyard, you know the sound is too loud.
But nothing was done to change the speakers and I spent the summer asking myself why I had to remind hotel management to turn down the sound every Sunday when they know which music levels are too high.

Rooftop parties are only held during the summer so we spent a winter of peace and then it started up the following summer. The entertainment director had since been moved to Las Vegas. That is when I started filing complaints with the LAPD senior lead officer for the Hollywood Entertainment District. Police officer Ben Thompson encouraged me to text him when the music was too loud. So every Sunday, Ben, to his credit, answered my texts and called up the hotel management to lower the sound.
I approached Relevant Group President Grant King at an event last summer and told him about the problem. He said the hotel wanted to be a good neighbor but that was all talk and no action.
So officer Ben Thompson went a step further and personally met with the hotel management about remedying the noise situation, but nothing happened. It go so bad that I asked to meet with Capt. Steve Lurie, head of the Hollywood police division, to ask if we could get some kind of cease and desist order to curtail this egregious behavior. Ben Thompson joined me in that meeting in August 2019, and we were all in agreement that something had to be done. Apparently the W hotel was creating the same problem.
But Ben Thompson has since been transferred to the San Fernando Valley, the summer ended and nothing was done. With the coronavirus situation and hotels not operating, we have gotten a reprieve from the noise problem.

The parking situation and noise pr .n are examples of how the Dream Hotel is .y interested in making as much money as possible and doing as little as possible to comply with city guidelines. That is seen in their trying to evade putting in enough parking to accommodate hotel guests. Parking is hard enough to find in Hollywood without big hotels feeling they are exempt from following city rules and regulations.
I really feel hotel management is trying to pull the wool over the eyes of city regulators and skirting what they are obligated to do. There should be on-site parking and hotel management should be held accountable for disturbing the peace.

Sincerely,
Deborah Belgum
1.

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

Dream Hotel Modifications, ZA-2013-3504-ZV-PA1, Comments Part 2

1 message

Casey Maddren <cmaddren@gmail.com> Tue, Jun 2, 2020 at 1:00 PM
To: frank.quon@lacity.org
Cc: Casey Maddren <cmaddren@gmail.com>

Here's the second part.

CM

Dream Modifications ZA 2013 3504 ZV PA1 Comments Part 2 of 2.pdf
11170K

LOS ANGELES CITY PLANNING COMMISSION

200 N. Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
http://planning.lacity.org/

Determination Mailing Date: OCT 19 2015

CORRECTED COPY **

CASE NO.: CPC-2014-3706-VZC-HD-ZAA-SPR
CEQA: ENV-2014-3707-MND

Location: ***1523 – 1541 N. Wilcox Avenue*** **
Council District: ***13 – O'Farrell*** **
Plan Area: Hollywood
Requests: Vesting Zone Change, Height District, Site Plan Review, Zoning Administrator's Adjustment

Applicant: 1541 Wilcox Hotel, LLC
Representative: Michael Gonzales Law Group

At its meeting of September 10, 2015, the Los Angeles City Planning Commission took the following action:

1. **Approved** a **Vesting Zone** and **Height District Change** from C4-2D to **(T)(Q)C4-2D** with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Approved a Zoning Administrator's Adjustment** to permit zero-foot side yard setbacks in lieu of the 14 feet required by Section 12.11-C,2 of the L.A.M.C..
3. **Approved** a **Site Plan Review** for a development project which creates, or results in an increase of, 50 or more guest rooms.
4. **Adopted** the attached modified **Conditions of Approval**.
5. **Adopted** the attached **Findings**.
6. **Adopted** Mitigated Negative Declaration No. **ENV-2014-3707-MND** for the above-referenced project.
7. **Adopted** the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.
8. **Advised** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring.
9. **Advised** the applicant that pursuant to State Fish and Game Code Section 711.4, a Fish and Game Fee is now required to be submitted to the County Clerk prior to or concurrent with the Environmental Notice of Determination (NOD) filing.

Recommendations to City Council:

1. **Recommend** the City Council **adopt** a **Vesting Zone** and **Height District Change** from C4-2D to **(T)(Q)C4-2D** with a "D" Limitation to allow a maximum FAR of up to 5.5 to 1 (5.5:1 FAR).
2. **Recommend** the City Council **adopt** Mitigated Negative Declaration No. **ENV-2014-3707-MND** for the above-referenced project and the Mitigation Monitoring Program for Mitigated Negative Declaration No. ENV-2014-3707-MND.

This action was taken by the following vote:

Moved: Ahn
Seconded: Choe
Ayes: Ambroz, Katz, Millman, Segura, Dake-Wilson
Absent: Mack, Perlman

Vote: **7 - 0**

James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: **The Los Angeles City Planning Commission's determination is appealable. Any aggrieved party may file an appeal within 15-days after the mailing date of this determination letter. Any appeal not filed within the 15-day period shall not be considered by the City Council. All appeals shall be filed on forms provided at the Planning Department's Public Counters at 201 N. Figueroa Street, Fourth Floor, Los Angeles, or at 6262 Van Nuys Boulevard, Suite 251, Van Nuys.**

FINAL APPEAL DATE: NOV 0 3 2015 **

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Ordinance, Map, Modified Conditions of Approval, Findings
City Planning Associate: Oliver Netburn

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedication(s) and Improvement(s). Prior to the issuance of any building permits, the following public improvements and dedications for streets and other rights of way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional and federal government agencies, as may be necessary):

Responsibilities/Guarantees.

1. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

2. Bureau of Engineering. Prior to issuance of sign offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

   a. Dedication -

      Wilcox Avenue (Avenue III - Secondary Highway) - A 5-foot wide strip of land along Block PT 2 (Arb 2) of Blocks 1, 2, 15 and 16 Hollywood Tract to complete a 35-foot foot half right-of-way in accordance with Avenue III Street standards.

   b. **Sidewalk Easement.** Record a 3-foot wide public sidewalk easement along Wilcox Avenue adjoining property for public sidewalk purposes.

   c. Improvements -

      i. **Wilcox Avenue** - The improvements shall be to the satisfaction of the Bureau of Engineering and in accordance with Modified Avenue III Street Standards, including asphalt pavement, integral concrete curb, gutter and concrete sidewalk. These improvements should suitably transition to join the existing improvements.

         Install tree wells with root barriers and plant street trees satisfactory to the City Engineer and the Urban Forestry Division of the Bureau of Street Services. Some tree removal in conjunction with the street improvement project may require Board of Public Works approval. The applicant should contact the Urban Forestry Division for further information (213) 847-3077.

Trees: That Board of Public Works approval shall be obtained, prior to the issuance of the Certificate of Occupancy of the development project, for the removal of any tree in the existing or proposed public right-of-way. The Bureau of Street Services, Urban Forestry Division is the lead agency for obtaining Board of Public Works approval for the removal of such trees.

Notes: Street lighting and street lights relocation will be required satisfactory to the Bureau of Street Lighting (213) 847-1551.

Department of Transportation may have additional requirements for dedication and improvements.

Refer to the Department of Transportation regarding traffic equipment, signs and parking meters (213) 482-7024.

Refer to the Department of Water and Power regarding power pole (213) 367-2715.

Refer to the Fire Department regarding fire hydrants (213) 482-6543.

d. Roof drainage and surface run-off from the project shall be collected and treated at the site and directed to the streets via drain system constructed under the sidewalk and through the curb drains connected to the catch basins.

e. Sewer lines exist in Wilcox Avenue. Extension of the 6-inch house connection laterals to the new property line will be required. All Sewerage Facilities Charges and Bonded Sewer Fees are to be paid prior to obtaining a building permit.

f. An investigation by the Bureau of Engineering Central District Office Sewer Counter may be necessary to determine the capacity of the existing pubic sewers to accommodate the proposed development. Submit a request to the Central District Office of the Bureau of Engineering at (213) 482-7050.

g. Submit parking area and driveway plan to the Central District Office of the Bureau of Engineering for review and approval.

3. Department of Transportation.

a. A minimum 20-foot reservoir shall be provided between any security gate(s) and the property line.

b. A parking area and driveway plan shall be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 201 N. Figueroa Street, Suite 400, Station 3.

(Q) QUALIFIED CLASSIFICATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Use.** The use and area regulations for the new development on-site shall be limited to a maximum of a 200-room hotel and 9,000 square-feet of restaurant/bar uses.

2. **Site Plan.** The use and development of the subject property shall be in substantial conformance with the site plan labeled Exhibit "A". Prior to the issuance of building permits, detailed development plans including a site plan illustrating elevations, facades, and architectural treatment, and a landscape/irrigation plan shall be submitted for review and approval by the Department of City Planning. The plans shall comply with provisions of the Municipal Code, the subject conditions, and the intent of the subject permit authorization.

3. **Commercial Use.** Commercial uses that are open to the public, such as retail and restaurant uses, shall occupy the ground floor space(s) facing Wilcox Avenue.

4. **Hollywood Citizen News Building.** Any structure along the front property line shall have a height consistent with the building height of the Citizen News Building (a historic resource for the purpose of CEQA to the north of the subject property).

"D" DEVELOPMENT LIMITATIONS

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development Limitations.

1. The total floor area of all buildings or structures on a lot shall not exceed a Floor Area Ratio (FAR) of 3:1.

2. A project may exceed the 3:1 FAR to a maximum of 5.5:1 provided that the project is approved by the City Planning Commission pursuant to Section 12.24-U of the LAMC.

3. The project approved under Case No. CPC-2014-3706-VZC-HD-ZAA-SPR shall be permitted a maximum FAR of 5.4:1. A new project shall be required to obtain a new approval pursuant to the "D" Development Limitation.

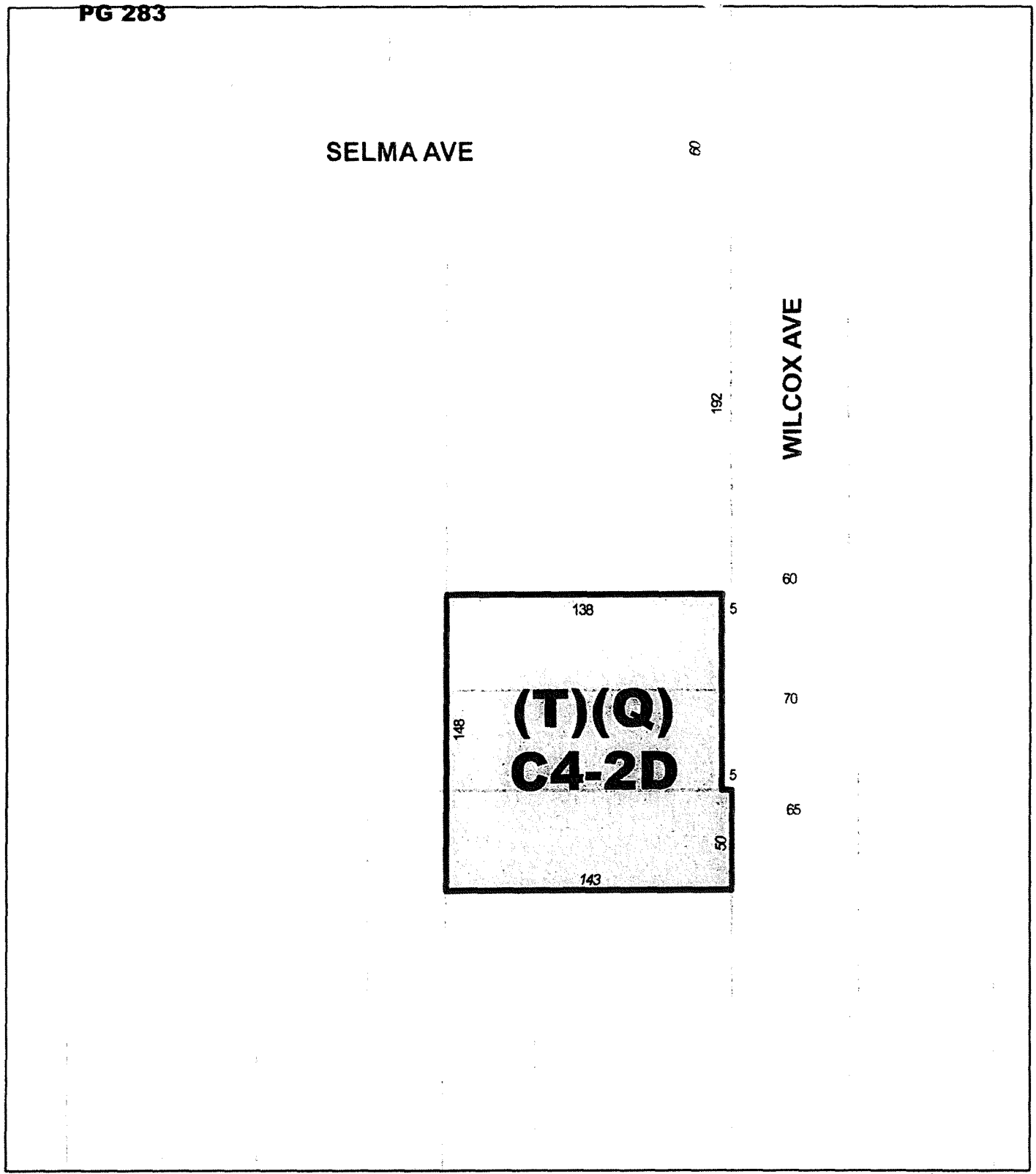
ORDINANCE NO. _____

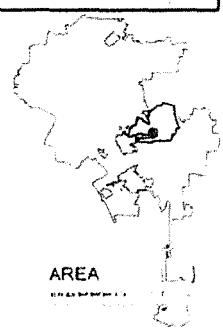
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section ___. Section 12.04 of the Los Angeles municipal Code is hereby amended by changing the zone classifications of property shown upon a portion of the Zoning Map incorporated therein and made a part of Article 2, Chapter 1 of the LAMC, so that such portion of the Zoning Map shall conform to the zoning on the map attached hereto and incorporated herein by this reference.

PG 283





C.M. 147 A 187	CPC 2014-3706 ZC HD ZAA SPR

LH/q

093015

DATA SOURCES: DEPARTMENT OF CITY PLANNING-DEPARTMENT & BUREAU OF ENGINEERING

CONDITIONS OF APPROVAL

Pursuant to Section 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

Entitlement Conditions

1. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

2. Authorized herein are the operation of a 200-room hotel and a maximum of 9,000 square-feet of restaurant/bar uses.

3. **Floor Area.** The approved hotel/restaurant project shall be limited to a Floor Area Ratio of 5.4:1 (5.4:1 FAR). A new project shall be required to obtain a new approval pursuant to the "D" Development Limitation.

4. **Height.** The building height shall not exceed 110 feet with the exception that 3,500 square feet of floor area at the pool deck shall not exceed 120 feet, as shown on Exhibit "A".

5. **Parking.**

   a. Vehicle parking shall be provided in conformance with L.A.M.C. Section 12.21-A,4. Electronic vehicle-ready conduits shall be installed for a minimum of twenty percent of the parking spaces.

   b. Bicycle parking shall be provide in conformance with L.A.M.C. Section 12.21-A,16.

6. **Site Planning.**

   a. All restaurant/bar uses shall not exceed 9,000 square feet.

   b. The second floor shall include a minimum of 3,500 square feet of meeting room space.

   c. The rooftop (the 11th floor) shall include not more than the following:

      i. 2,000 square feet square feet of restaurant area;

      ii. 1,500 square feet of gym/spa and pool bathrooms and shower area, and

      iii. 5,000 square feet outdoor area, including pool.

      Note: The square footage used for the gym/spa and pool bathrooms and shower area, and the outdoor area shall not be counted toward the maximum permitted 9,000 square feet of restaurant/bar uses.

7. **Rooftop operations.** The rooftop restaurant area shall close at 1 a.m., daily.

8. **Pick-up/Drop-off.** The applicant shall obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

9. **Landscaping.** The private terraces for the guest rooms on the second floor level shall be separated by permanent planters.

10. **Trash collection and storage.** All trash collection and storage areas shall be located on-site and not visible from the public right-of-way.

11. **Side Yards.** The project shall be permitted zero-foot side yard setbacks as shown in Exhibit "A".

12. No live entertainment, ambient background music or amplified sound shall be permitted on the second level terrace. No live entertainment shall be permitted on the rooftop/pool deck (10th floor). Ambient background music shall be permitted on the rooftop/pool deck (10th floor) between the hours of 7 a.m. and 10 p.m., Sunday through Wednesday and 7 a.m. to 11 p.m. Thursday through Saturday.

Environmental Conditions

13. **Cultural Resources.**

    a. In the event that buried cultural resources are discovered during project development, construction activities shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study:

        i. The archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) forms, and evaluated for significance in terms of CEQA criteria.

        ii. If the discovered resource is determined to be a unique historic resource as defined under Section 15064.5 of the CEQA Guidelines, additional measures shall be identified by the archaeologist and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping; incorporation of the location of the find as undisturbed green or open space; and/or data recovery excavations of the find.

        iii. No further ground-disturbing activities shall occur in the vicinity of the find until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency, where they would be afforded long-term preservation to allow future scientific study.

    b. In the event that paleontological resources are encountered during the course of grading and/or excavation, all development shall temporarily cease in these areas until a qualified paleontologist is brought onto the project site to properly assess the resources and make recommendations for their disposition. Excavation or disturbance may continue in other areas of the project site that are not reasonably suspected to overlie adjacent paleontological resources.

c. In the event that human remains are discovered during excavation activities, the following procedure shall be observed:

i. Stop immediately and contact the County Coroner:

1104 N. Mission Road
Los Angeles, CA 90033
323-343-0512 (8 a.m. to 5 p.m. Monday through Friday) or
323-343-0714 (After Hours, Saturday, Sunday, and Holidays)

ii. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission.

iii. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American.

iv. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.

v. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or;

vi. If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission.

14. **Geology and Soils.**

a. The project shall be supported on foundations embedded into alluvium.

b. The soils chemistry results shall be considered in the design of the project, subject to the approval of the Department of Building and Safety.

c. The property owner shall maintain the site as outlined in the Preliminary Geotechnical Engineering Investigation document, Drainage and Maintenance section prepared by GeoConcepts and dated May 16, 2014.

d. Excavation and grading activities shall be scheduled during dry weather periods as feasible. If grading occurs during the rainy season (October 15 through April 1), diversion dikes shall be constructed to channel runoff around the project site. Channels shall be lined with grass or roughened pavement to reduce runoff velocity.

e. Implementation of appropriate erosion control and drainage devices to the satisfaction of the Building and Safety Department shall be incorporated such as: sand bags and inlet and outlet structures, as specified by Section 91.7013 of the Building Code, and planting fast-growing annual and perennial grasses in areas where construction is not immediately planned.

f. Stockpiles and excavated soil shall be covered with secured tarps or plastic sheeting.

g. All excavation and shoring systems shall meet, at a minimum, the requirements given in the State of California Occupational Safety and Health Standards.

h. When rain is forecast, all fill shall be properly compacted prior to stopping work for the day. Once compacted, these fills shall have the surface sloped and use temporary drainage devices to transfer excess water to the street. Drainage shall not be allowed to pond anywhere on the site.

15. **Hazards and Hazardous Materials.**

a. An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos containing materials (ACMs). The identified suspect ACMs would need to be sampled to confirm the presence or absence of asbestos prior to any demolition activities to prevent potential exposure to workers and/or building occupants. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACMs are present in the buildings. If ACMs are found to be present, a qualified asbestos abatement consultant shall abate the buildings in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.

b. A Lead Based Paint (LBP) survey must be conducted onsite. Any contractor who would disturb lead containing surfaces must be notified of the hazard and their requirement to comply with the applicable city, state, and federal regulations. Any additional LBP identified shall be abated by a qualified abatement consultant in accordance with all applicable city, State, and Federal regulations.

c. Prior to the issuance of the demolition permit, the applicant must provide a letter to the Department of Building and Safety from a qualified polychlorinated biphenyls (PCB) abatement consultant that no PCBs are present onsite. If PCBs are found to be present, a qualified abatement consultant shall abate the site in compliance with the applicable city, State, and Federal rules and regulations.

16. **Noise.**

a. The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.

b. Construction and demolition shall be restricted to the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday. Construction and demolition shall not occur on Sundays or any federal holiday.

c. Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

d. Where feasible, the project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.

e. Noise and groundborne vibration construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling), shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities towards these land uses to the maximum extent possible.

f. The project developer shall install a temporary noise control barrier in the southern property line of the construction site abutting residential uses. The noise control barrier shall be engineered to reduce construction-related noise levels at the adjacent multi-family residential structures with a goal of a reduction of 10 dBA. The barrier shall be a similar height to the multi-family residential building to the south of the project site. The supporting structure shall be engineered and erected according to applicable codes. The temporary barrier shall remain in place until all windows have been installed in the south façade of the new hotel building and paving activities in the hotel project site are complete.

g. The project shall comply with the City of Los Angeles Building Regulations Ordinance No. 178,048, which requires a construction site notice to be provided that includes the following information: job site address, permit number, name and phone number of the contractor and owner or owner's agent, hours of construction allowed by code or any discretionary approval for the site, and City telephone numbers where violations can be reported. The notice shall be posted and maintained at the construction site prior to the start of construction and displayed in a location that is readily visible to the public.

h. The pool and rooftop decks shall be enclosed on all sides with a six-to-eight foot tall plexiglass perimeter wall and include landscaping (i.e., shrubbery and trees) to minimize noise levels at off-site locations to the maximum extent feasible. Based on a review of the FHWA Noise Barrier Design Handbook, the pool and rooftop deck plexiglass perimeter wall shown in the project plans would achieve approximately 5 to 10 dBA of noise attenuation.

i. Upon operation of the pool and rooftop decks, the project applicant shall provide the adjacent uses to the north, south, and west, a building manager contact and phone number to report any loud, unnecessary, and unusual noise, which disturbs the peace or quiet for the adjacent uses.

j. All new construction work shall be performed so as not to adversely affect the structural integrity of the immediately adjacent buildings to the south, north and west of the project site (i.e., Sensitive Receptor Nos. 1, 2, 3 and 4). Preconstruction surveys shall be performed to document conditions of the adjacent structures. A structural monitoring program shall be implemented and recorded during construction.

k. The performance standards of the structure monitoring plan shall include the following:

   i. Documentation shall consist of video and/or photographic documentation of accessible and visible areas on the exterior and select interior facades of the buildings. A registered civil engineer or certified engineering geologist shall develop recommendations for the adjacent structure-monitoring program that will include, but not be limited to, vibration monitoring, elevation and lateral monitoring points, crack monitors and other instrumentation deemed necessary to protect the structures from construction-related damage.

   ii. The monitoring program shall survey for vertical and horizontal movement, as well as vibration thresholds. If the thresholds are met or exceeded, or noticeable structural damage becomes evident to the project contractor, work shall stop in the area of the affected building until measures have been taken to stabilize the affected building to prevent construction-related damage to the structure.

iii. The structure-monitoring program shall be submitted to the Department of Building and Safety and received into the case file for the associated discretionary action permitting the project prior to initiating any construction activities.

l. Concrete, not metal, shall be used for construction of parking ramps.

m. The interior ramps shall be textured to prevent tire squeal at turning areas.

17. **Public Services**.

a. The following recommendations of the Fire Department relative to fire safety shall be incorporated into the building plans, which includes the submittal of a plot plan for approval by the Fire Department either prior to the recordation of a final map or the approval of a building permit. The project shall provide fire hydrants to meet LAFD fire flow requirements. The number, sizes and locations of hydrants will be determined in conjunction with the Fire Department, either prior to recordation of the final map or approval of the building permit. The project shall provide an on-site water storage tank. The location and sizing of the tank will be determined in conjunction with the Fire Department. The plot plan shall include the following minimum design features: all structures must be within 300 feet of an approved fire hydrant, entrances to any guest room shall not be more than 150 feet in distance in horizontal travel from the entry/exit or vertical stair, and the stairway shall be within 150 feet from the edge of the roadway of an improved street or approved fire lane. Design of the project site shall provide adequate access for the Fire Department equipment and personnel to the structure. In addition, the project applicant shall install an automatic sprinkler system in accordance with Fire Code Section 57.118.11 and in conformance with LAFD Standard No. 59.

b. The plans shall incorporate the design guidelines relative to security, semi-public and privates spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space design with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to "Design Out Crime Guidelines: Crime Prevention Through Environmental Design," published by the Los Angeles Police Department. Contact the Community Relations Division, located at 100 W. 1st Street, #250, Los Angeles, CA 90012; (213) 486-6000. These measures shall be approved by the Police Department prior to the issuance of building permits.

c. Prior to construction of the project, the applicant shall install barriers and/or fencing around the project site to secure construction equipment, to prevent trespassing, vandalism, and attractive nuisances and shall review potential impacts to bus routes with the Los Angeles Unified School District (LAUSD) Transportation Branch.

d. During construction, the applicant shall provide crossing guards at impacted school crossings so as not to compromise the safety of students during construction related activities, shall not park construction and/or worker transport vehicles adjacent to school sites, shall not haul past affected school sites when school is in session or during school arrival and dismissal times, shall maintain communication with school administration to provide sufficient notice when existing pedestrian and vehicle routes to the school site may be impacted, shall maintain unrestricted access for school buses, and shall comply with provisions of the California Vehicle Code by requiring construction vehicles to stop when encountering school buses using red flashing lights.

e. The applicant shall maintain safe and convenient pedestrian routes to LAUSD schools and not endanger passenger safety or delay student-drop off or pickup due to traffic patterns, lane-adjustments, altered bus stops, or traffic lights by installing appropriate traffic controls (signs and signals) to ensure vehicular and pedestrian safety.

f. The applicant shall pay school fees as required by applicable law.

Administrative Conditions of Approval

18. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

19. **Code Compliance.** Area, height and use regulations of the (T)(Q)C4-2D zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

20. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

21. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.

22. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

23. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the Department of City Planning and the Department of Building and Safety.

24. **Corrective Conditions.** The authorized use shall be conducted at all time with due regards to the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code to impose additional corrective conditions, if in the Commission's or Director's opinion such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

25. **Expediting Processing Section.** Prior to the clearance of any conditions, the applicant shall show that all fees have been paid to the Department of City Planning Expedited Processing Section.

26. **Indemnification and Reimbursement of Litigation Costs.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $25,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

e. If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions include actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

FINDINGS

General Plan/Character Findings

1. **General Plan.**

   a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission is consistent with the current Regional Center Commercial land use designation. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

   b. **Land Use Element.**

      Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

      Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

      Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

         Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

      The new "D" Development Limitation with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, allows for the redevelopment of a large parcel of land within Hollywood Center with the proposed residential (a hotel) and commercial (a restaurant) uses and will result in a demand for local workers and local goods and services. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

   c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The

Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram and Table 3-1 (Land Use Standards and Typical Development Characteristics).

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips

to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support the increase in allowable Floor Area Ratio from 2:1 FAR to 3:1 FAR and with a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Policy 3.10.1: Accommodate land uses that serve a regional market in areas designated as "Regional Center" in accordance with Tables 3-1 (Land Use Standards and Typical Development Characteristics) and 3-6 (Land Use Designation and Corresponding Zones). Retail uses and services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial

district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify an increase in Floor Area Ratio from 2:1 FAR to 3:1 FAR and with a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission.

d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk required by the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting "first-mile, last-mile solutions", enabling workers, hotel guests and patrons of the restaurants' improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

Lastly, the Department of Transportation submitted a Traffic Impact Assessment of the proposed project dated May 9, 2014 that determined the impact of the trips generated from the project will be less than significant.

e. The **Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

Entitlement Findings

2. **Pursuant to Section 12.32-C of the Municipal Code, the zone change is in conformance with the public necessity, convenience, general welfare and good zoning practice.**

a. Public Necessity: In 2013, the Chief Legislative Analyst reported (Council File No. 13-0991) that Hollywood was one of several areas in the City with high demand for hotel rooms, stating that it had approximately 3,000 hotel rooms and that between 2009 and 2014, there was a projected growth in the occupancy rate of over 10% (from 70.1% in 2009 to a projected occupancy rate of 82.9% in 2014). Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, would allow the construction of a 200-room hotel on an under-utilized site, increasing the number of hotels room in Hollywood. The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR.

b. Convenience: Hollywood is one of the City's largest tourist attractions where hundreds of thousands of people from around the world visit throughout the year. Hollywood is also one of the most transit-rich areas within the City, serviced by the Los Angeles County Metropolitan Transportation Authority bus system, the Metro Rail Red Line and the City of Los Angeles Department of Transportation DASH service. Two Metro Red Line Rail stations, at Hollywood Boulevard and Highland Avenue and at Hollywood Boulevard and Vine Street, and local and regional bus lines along Sunset Boulevard, Hollywood

Boulevard, Vine Street and Highland Avenue are all approximately one half mile from the project site. Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone would allow the employees and patrons of the hotel and restaurant access and convenience to a variety of modes of transportation.

c. General Welfare: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 FAR provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. The Framework Element defines Regional Centers as areas intended to "provide a significant number of jobs and many non-work destinations" and therefore require access to bus and rail transit and good quality street, area, and pedestrian lighting... to generating feelings of safety, comfort, and well being necessary for ensuring public nighttime use of transit facilities." The proposed 200-room hotel and restaurant will provide a significant number of jobs within approximately one half mile of a variety of modes of public transit. The project will also include a ground floor restaurant with approximately 1,100 square feet open to the sidewalk which would improve pedestrian safety, comfort, and well-being along the street during evening hours.

d. Good Zoning Practices: Granting the Zone and Height District Change to the (T)(Q)C4-2D Zone with a 3:1 FAR, and a maximum of 5.5:1 provided that the project is approved by the City Planning Commission, would allow the redevelopment of an under-utilized site within a Regional Center. Regional Centers are intended to contain a diversity of uses such as corporate and professional offices, retail commercial malls, government buildings, major health facilities, major entertainment and cultural facilities and supporting service and the development of sites and structures integrating housing with commercial uses is encouraged. The proposed 200-room hotel will provide short-term, overnight accommodations for visitors and tourists to the entertainment and cultural facilities in the Hollywood area and the proposed restaurant will further support workers, residents and visitors to the Hollywood area with additional dining options.

Zoning Administrator's Adjustment Findings

3. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

The applicant is requesting relief from Section 12.11-C,2 of the Municipal Code to allow zero-foot side yards for the second floor level in lieu of the required 14 feet. The project is a mixed-use building. In order to maintain the street wall and compatibility with the abutting Hollywood Citizen News (HCN) building, a historic resource for the purposes of CEQA, the applicant decided to extend the second floor level to the adjoining northerly property line. While maintaining the street wall and compatibility with the historic resource is desirable, the second floor level of the hotel is considered a residential use and therefore requires residential side yards consistent with the C4 Zone (and by default the R4 Zone). The side yard requirement is intended to provide light and air as well as privacy between adjacent buildings. There is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status. Above the second floor level the proposed hotel would comply with the required 14-foot setback.

With that, in an effort to maintain an aesthetic, architectural balance across the front façade of the building, the applicant has also extended the second floor level to the adjoining southerly property line. Therefore, while providing zero side yard setbacks at along the

northern and southern property lines for the second floor level, the project nonetheless conforms to the intent of the side yard regulations that provide suitable guarantees for light and air for the hotel rooms and adjacent properties.

4. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

The subject property abuts the Hollywood Citizen News (HCN) building at 1545 Wilcox Avenue which is considered a historical resource for the purposes of CEQA. In an effort to respect the scale and massing of the HCN, the proposed hotel building's second floor height and setbacks are designed to maintain the existing street wall established by the HCN (and shared by other buildings along Wilcox Avenue) and thus present a more visually consistent street wall.

Furthermore, above the second floor, and with respect to all other development standards, the proposed project conforms to the requirements of the Municipal Code. In addition, A Mitigated Negative Declaration (ENV-2014-3707-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment.

Therefore, the project as a whole as designed, including any mitigation measures imposed will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

5. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of the Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The Land Use Element of the City's General Plan divides the City into 35 Community Plans. The Hollywood Community Plan designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The Community Plan text is silent with regards to reductions in yard adjustment. In such cases, the City Planning Commission must interpret the intent of the Plan.

The proposed project addresses the following relevant land use objectives and policies of the Hollywood Community Plan:

Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project allows for the redevelopment of a large parcel of land within Hollywood Center with residential and commercial uses while at the same time as maintaining the existing street wall.

Furthermore, there is no development proposed for the HCN building, nor would it be anticipated that any new development would occur on that property given its historic status and above the second floor level the proposed hotel would comply with the required 14-foot setback.

The project is not located within any Specific Plan.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

Site Plan Review

6. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and does not conflict with any applicable regulations, standards, and any applicable specific plan.**

   a. **General Plan Land Use Designation.** The subject property is located within the area Hollywood Community Plan, adopted by the City Council on December 13, 1988. The plan map designates the subject property as Regional Center Commercial with corresponding zones of C2, C4, RAS3, RAS4, P and PB. The proposed Site Plan Review approval with a 5.4:1 FAR is consistent with the current Regional Center Commercial land use designation. The Framework Element characterizes Regional Center as including FARs of up to 6:1. Therefore, the project is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

   b. **Land Use Element.**

      Hollywood Community Plan. The Community Plan text includes the following relevant land use objectives and policies:

      Objective 1: To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

      Objective 4: To promote economic well-being and public convenience through: a) allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

         Policy: The focal point of the Community is the Hollywood Center located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street... This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region.

The project, at an FAR of 5.4:1, allows for the redevelopment of a large parcel of land within Hollywood Center with residential (a hotel) and commercial (a restaurant) uses and will result in a demand for local workers and local goods and services. The project also promotes economic well-being and public convenience by providing short-term, overnight accommodations within proximity to many of Hollywood's entertainment-based tourist attractions as well as the Metro Red Line with access to North Hollywood, Universal Studios, Downtown Los Angeles and beyond.

c. The **Framework Element** for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the project site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following goals, objectives and policies relevant to the instant request:

Goal 3A: A physically balanced distribution of land uses that contributes towards and facilitates the City's long-term fiscal and economic viability, revitalization of economically depressed areas, conservation of existing residential neighborhoods, equitable distribution of public resources, conservation of natural resources, provision of adequate infrastructure and public services, reduction of traffic congestion and improvement of air quality, enhancement of recreation and open space opportunities, assurance of environmental justice and a healthful living environment, and achievement of the vision for a more liveable city.

Objective 3.1: Accommodate a diversity of uses that support the needs of the City's existing and future residents, businesses, and visitors.

Policy 3.1.4: Accommodate new development in accordance with land use and density provisions of the General Plan Framework Long-Range Land Use Diagram and Table 3-1 (Land Use Standards and Typical Development Characteristics).

Objective 3.2: Provide for the spatial distribution of development that promotes an improved quality of life by facilitating a reduction of vehicular trips, vehicle miles traveled, and air pollution.

Policy 3.2.1: Provide a pattern of development consisting of distinct districts, centers, boulevards, and neighborhoods that are differentiated by their functional role, scale, and character. This shall be accomplished by considering factors such as the existing concentrations of use, community-oriented activity centers that currently or potentially service adjacent neighborhoods, and existing or potential public transit corridors and stations.

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial

and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

The project will contribute toward and facilitate the City's long-term fiscal and economic viability by adding 200 short-term, overnight hotel rooms within Hollywood's commercial and entertainment core for visitors and tourists. The project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its location within an existing, high-intensity commercial district and on an Avenue III (Secondary Highway) will enable the city to conserve nearby existing stable residential neighborhoods and lower-intensity commercial districts. Such attributes support an FAR to 5.4:1.

Goal 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Policy 3.10.1: Accommodate land uses that serve a regional market in areas designated as "Regional Center" in accordance with Tables 3-1 (Land Use Standards and Typical Development Characteristics) and 3-6 (Land Use Designation and Corresponding Zones). Retail uses and services that support and are integrated with the primary uses shall be permitted. The range and densities/intensities of uses permitted in any area shall be identified in the community plans.

Policy 3.10.3: Promote the development of high-activity areas in appropriate locations that are designed to induce pedestrian activity, in accordance with Pedestrian-Oriented District Policies, and provide adequate transitions with adjacent residential uses at the edges of the centers.

The project is a hotel and restaurant project that will provide jobs within Hollywood's commercial and entertainment core for visitors and tourists. The project's design, including ground floor treatment will encourage pedestrian activity and its location, toward the southern boundary of the Hollywood Center, will provide an appropriate buffer between the more intense uses within the Hollywood Center and the residential neighborhood south of Sunset Boulevard.

Goal 5A: A liveable City for existing and future residents and one that is attractive to future investment. A City of interconnected, diverse neighborhoods that builds on the strengths of those neighborhoods and functions at both the neighborhood and citywide scales.

Objective 5.2: Encourage future development in centers and in nodes along corridors that are served by transit and are already functioning as centers for the surrounding neighborhoods, the community or the region.

Policy 5.2.2: Encourage the development of centers, districts, and selected corridor/boulevard nodes such that the land uses, scale, and built form allowed and/or encouraged within these areas allow them to function as centers and support transit use, both in daytime and nighttime. Additionally, develop these areas so that they are compatible with surrounding neighborhoods.

The project will support Hollywood's commercial and entertainment core for residents by providing additional dining opportunities, as well as enhance the urban environment, encouraging daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project's proximity to the Metro Red Line, the Metro Rapid 704 Line and other transit connections enable it to function at both the local and region scale, and justify a Floor Area Ratio of 5.4:1.

d. The **Mobility Element** of the General Plan (Mobility Plan 2035) is not likely to be affected by the recommended action herein. Wilcox Avenue is a Modified Avenue III (Secondary Highway) in the Mobility Element of the General Plan and dedicated to a variable width of between 60 and 70 feet and improved with asphalt roadway and concrete curb, gutters and a sidewalk. The project will be required to provide a 5-foot dedication of land for the southern 50 feet of the property and necessary improvements to complete the right-of-way along its entire frontage with Wilcox Avenue. A condition to require the 5-foot dedication of land and necessary improvements to complete the right-of-way has been included in this approval. Additionally, a condition is recommended herein to require a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Wilcox Avenue is not included in any of Mobility Plan 2035's "Enhanced" Networks (i.e. the Bicycle Enhanced Network, the Transit Enhanced Network, the Neighborhood Enhanced Network and the Vehicle Enhanced Network). Nevertheless, the project as designed and as conditioned meets the following goals and objectives of Mobility Plan 2035:

Policy 2.3: Recognize walking as a component of every trip, and ensure high-quality pedestrian access in all site planning and public right-of-way modifications to provide a safe and comfortable walking environment.

Policy 2.10: Facilitate the provision of adequate on and off-street loading areas.

The project's design, including ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design. Furthermore, the project is required to provide a 3-foot sidewalk easement to run with the land in order to achieve the 13-foot standard sidewalk from the Mobility Plan 2035.

Policy 3.1: Recognize all modes of travel, including pedestrian, bicycle, transit, and vehicular modes - including goods movement - as integral components of the City's transportation system.

Policy 3.3: Promote equitable land use decisions that result in fewer vehicle trips by providing greater proximity and access to jobs, destinations, and other neighborhood services.

Policy 3.4: Provide all residents, workers and visitors with affordable, efficient, convenient, and attractive transit services.

Policy 3.5: Support "first-mile, last-mile solutions" such as multi-modal transportation services, organizations, and activities in the areas around transit stations and major bus stops (transit stops) to maximize multi-modal connectivity and access for transit riders.

Policy 3.8: Provide bicyclists with convenient, secure and well-maintained bicycle parking facilities.

The project's proximity to the Metro Red Line, the Metro Rapid 704 and other transit connections will reduce vehicular trips to and from the project, vehicle miles traveled, and improve air pollution; and its ground floor treatment will encourage daytime and nighttime pedestrian activity within a highly active commercial district through pedestrian-friendly design.

In addition, the project will provide Code required bicycle parking supporting "first-mile, last-mile solutions", enabling workers, hotel guests and patrons of the restaurants' improved access to the project.

Policy 5.4: Continue to encourage the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure.

As conditioned, a minimum of twenty percent of the parking spaces will be installed with electronic vehicle-ready conduits.

The project is not located within any Specific Plan.

The proposed hotel/restaurant project approved herein is permitted under the new "D" Development Limitation with a maximum FAR of 5.4:1 FAR.

Therefore, the project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.

7. **The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that are or will be compatible with existing and future development on adjacent properties and neighboring properties.**

The subject property is flat, interior lot, approximately 20,682 square feet (0.47 acre) in size. The existing project site is currently developed with a 14,208-square-foot warehouse and an associated paved surface parking lot. The property is currently zoned C4-2D.

The project site is located in a developed urban area that includes a mix of residential, commercial, office and parking uses. Directly abutting the property to the north is the Citizen News Building, a converted printing plant building to a recording studio and a historic resource for the purposes of CEQA. Directly to the east, across Wilcox Avenue, is Hornburg Jaguar and Land Rover, an auto repair facility. Directly to the south is two-story apartment building. Directly to the west is two-story office building, a historic resource for the purposes of CEQA a one-story, multi-family dwelling and a surface parking lot.

Within the general vicinity, to the east is an existing three-story hotel and to the north is an existing five-story hotel. To the south, including across Sunset Boulevard, is a nine- and twelve-story office building. To the south and west are two-story multi-family buildings and

to the northwest is a four-story multi-family building. Also, currently under construction is a 10-story hotel located at 6417 Selma Avenue (approximately 375 feet to the northeast of the subject property).

The applicant, in response to community input, reduced and modified the project to the current version to include 200 hotel guest rooms with a ground floor lobby and restaurant/bar, a second floor terrace accessible to guests only, a rooftop deck, pool, fitness center and penthouse restaurant, 28 bicycle parking spaces, and four levels of underground parking with 144 parking spaces for a total of 112,557 square feet (or a 5.4:1 FAR). The maximum building height is 118-foot, 10-inch feet to the top of the penthouse and 11 stories including the penthouse. Lastly, the project only requires a reduced side yard setback for a portion of the second floor and no longer requires any reduction from the required 20-foot rear yard setback.

As originally proposed, the project included 220 hotel guest rooms, a ground floor lobby and restaurant, meeting rooms, a pool and fitness center, a penthouse lounge and a roof deck, and three levels of underground parking with 125 parking spaces for a total of 124,092 square feet (or a 6:1 Floor Area Ratio (FAR)). The maximum building height was 162 feet, 6 inches to the top of the penthouse and 12 stories including the penthouse. As originally designed, the project required ten-foot, one-inch (10'-1") side yard setbacks in lieu of the required 15 feet and a five-foot, one-inch (5'-1") rear yard setback in lieu of the required 20 feet.

The proposed 112,557 square-foot (5.4:1 FAR), 11-story, 118-foot, 10-inch tall hotel, on an approximately 20,682 lot is compatible with the existing and future surrounding developments. The table below includes a list of existing or under construction developments within approximately 1,000 feet of the subject property.

Address	Floor Area	Lot Size	FAR	Height
Proposed Project	109,470	*20,682*	*5.3*	*11*
6500 Selma Avenue [1, 2]	31,865	6,864	4.6	5
6525 Sunset Boulevard	77,460	32,539	2.4	7
6415-6419 Selma Avenue [1, 2]	79,409	13,923	5.7	10
6464 Sunset Boulevard	100,772	18,226	5.5	11
6430 Sunset Boulevard	204,920	21,963	9.3	15

[1] Under construction (or renovation/remodel)
[2] Hotel

Accordingly, the height and FAR of the proposed project is consistent with several existing developments within the surrounding area.

The subject site and surrounding properties which front onto Wilcox Avenue are located within the C4-2D Zone. The Zone and Height District classification has no restriction on the maximum allowable height and permits a maximum FAR of 2:1 and 3:1 (on the west and east side of Wilcox Avenue, respectively), with the ability to get up to 6:1 FAR through CRA and City Planning Commission approval. The proposed project, with CRA and City Planning Commission approval, will be consistent with both the maximum allowable height and FAR for the subject property and neighboring properties.

The project has been limited to a maximum height of 110 feet with the exception that a 3,500 square-foot portion of the rooftop which is proposed for restaurant use and hotel

amenities may reach a maximum height of not more than 120 feet. In addition, the project no longer requires relief from the required rear yard setback or side setback above the second floor and will therefore be compatible with future development on adjacent properties and neighboring properties. The project's environmental review found that it will have no shading impact on adjacent properties.

The hotel and restaurant will provide 144 vehicle parking spaces within a four-level subterranean garage, 28 bicycle parking spaces (14 short-term and 14 long-term) and will comply will all vehicle and bike parking requirements of the Municipal Code.

All lighting has been conditioned to be downward-facing and all trash collection and storage areas to not be visible from the public right-of-way. All landscaping has been designed and conditioned to be integrated with the building and suitable to the functions of the various outdoor spaces.

Given the shallow configuration of the lot (less than 140 feet depth), the project seeks to provide the pick-up/drop-off and valet area within the public right-of-way. While typically use of the public right-of-way for pick-up/drop-off is discouraged, the project has been conditioned to enhance the experience for patrons and guests of the hotel/restaurant and pedestrians who are passing by. Specifically, the project is required to obtain a Valet Permit for the Los Angeles Police Department to allow the pick-up/drop-off area and valet service to be located within the public right-of-way.

Therefore, based on the proposed design of the project and the conditions imposed herein, the project will be compatible with existing and future development on adjacent properties and neighboring properties.

8. **That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.**

The proposed 200-room hotel includes 113 Standard King rooms, 54 Standard Queen rooms, 31 Suites and 2 Presidential Suites, each with a full bathroom. In addition, the hotel provides a 1,104 square-foot hotel lobby bar (open to the public), a 3,298 square-foot restaurant (open to the public), a 2,924 square-foot kitchen and a 1,085 square-foot outdoor eating area (open to the public); a second floor comprised of guest rooms, 3,667 square feet of meeting rooms and terraces accessible to hotel guests only; a 4,903 square-foot pool deck on the roof of the 10th floor (open to the public); and a 1,206 square-foot penthouse restaurant (open to the public), for a total of approximately 18,000 square feet of space for dining and hotel guest amenities. Some of the suites on the 3rd to 9th floors have private terraces. Although a Hotel is defined as a residential building per the L.A.M.C. Section 12.03, only residential project containing dwelling units are required to provide open space pursuant to L.A.M.C. Section 12.21-G.

The proposed project provides landscaping at the ground floor, second floor terraces and rooftop deck. Additionally, as the project now conforms to the required rear yard setback and the side yard setbacks above the second floor, impacts on neighboring properties as a result of use of the hotel's second-floor terrace and rooftop deck will be minimized.

Therefore, as conditioned, the project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

Environmental Findings

9. **Environmental Finding.** A Mitigated Negative Declaration (ENV-2014-3707-MND) was prepared for the proposed project. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 750, 200 North Spring Street.

10. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain. Currently, there are no flood zone compliance requirements for construction in these zones.

Working with Hollywood International Regional Center, we have 5 projects that are in varying stages of development and comprise of over 2,000 hotel rooms that when completed, have an estimated value of over US $1 billion.

PG 309

FULLY FUNDED: UNDER CONSTRUCTION

Dream Hotel Hollywood (Phase I)

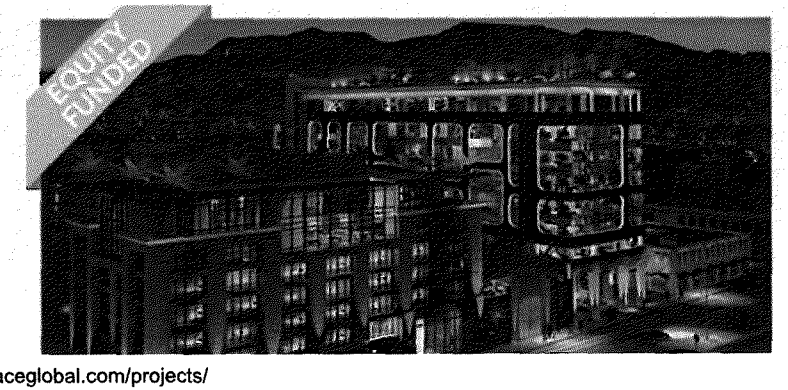
Hollywood, California

$52 Million Development

182 Hotel Rooms | 4 F&B Venues

PROJECT DETAILS

CURRENTLY RAISING EB-5 CAPITAL



Dream Hotel Hollywood (Phase II)

Hollywood, California

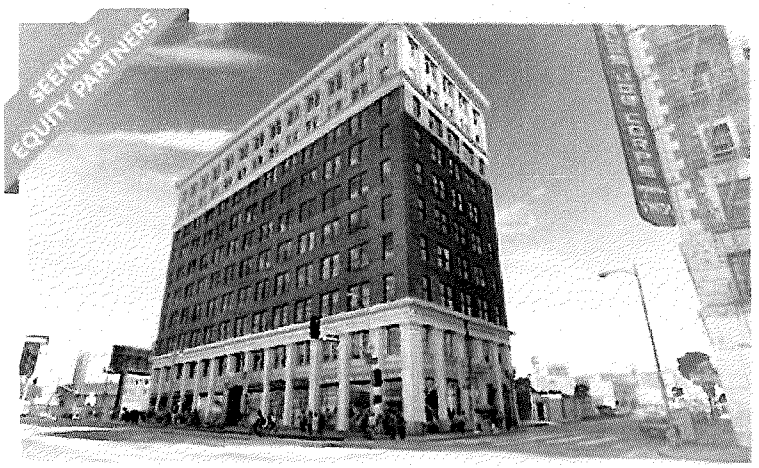
$43 Million Development

PG 210

86 Hotel Rooms | 6 F&B venues

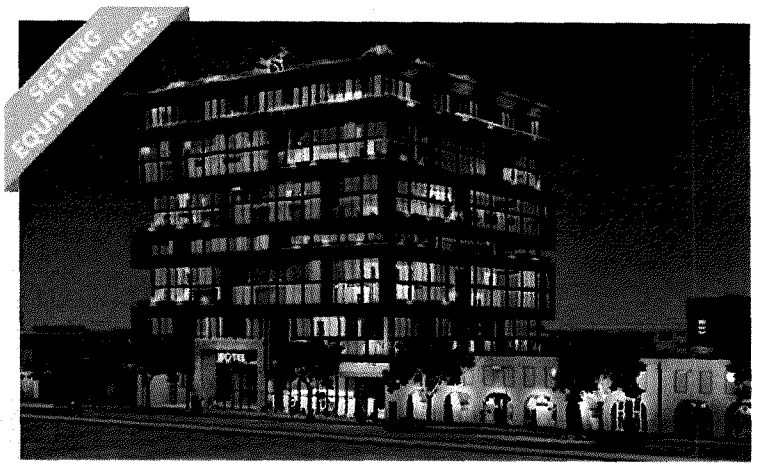
PROJECT DETAILS

FUNDRAISING EQUITY



Historic 1920's Downtown LA Hotel Redevelopment

- Downtown Los Angeles, California
- $40 Million Development



Brand New Luxury Hollywood Hotel

- Hollywood, California
- $55 Million Development
-

PG 311

150 Hotel Rooms | 4 F&B Venues

PROJECT DETAILS

220 Hotel Rooms | 5 F&B Venues

PROJECT DETAILS

COMING SOON: EB-5 FUNDRAISE BEGINS MID 2014

610 Broadway

Downtown Los Angeles, California

$100 Million Development

340 Hotel Rooms | 4 F&B Venues

PROJECT DETAILS

PG 312

Contact

Phone: +86 21 6258 2100

Address: 273 Jiaozhou Road, Unit 58, Suite 101, Shanghai, China 200040

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Managing Director

Email: scott@spaceglobal.com

Mobile: +86 138 1818 7372

Chinese Inquiries

Raymond Shi

Investment Manager

Email: raymond@spaceglobal.com

Mobile: +86 138 1607 253

Receive the latest real estate market news and access our project updates.

Email Address

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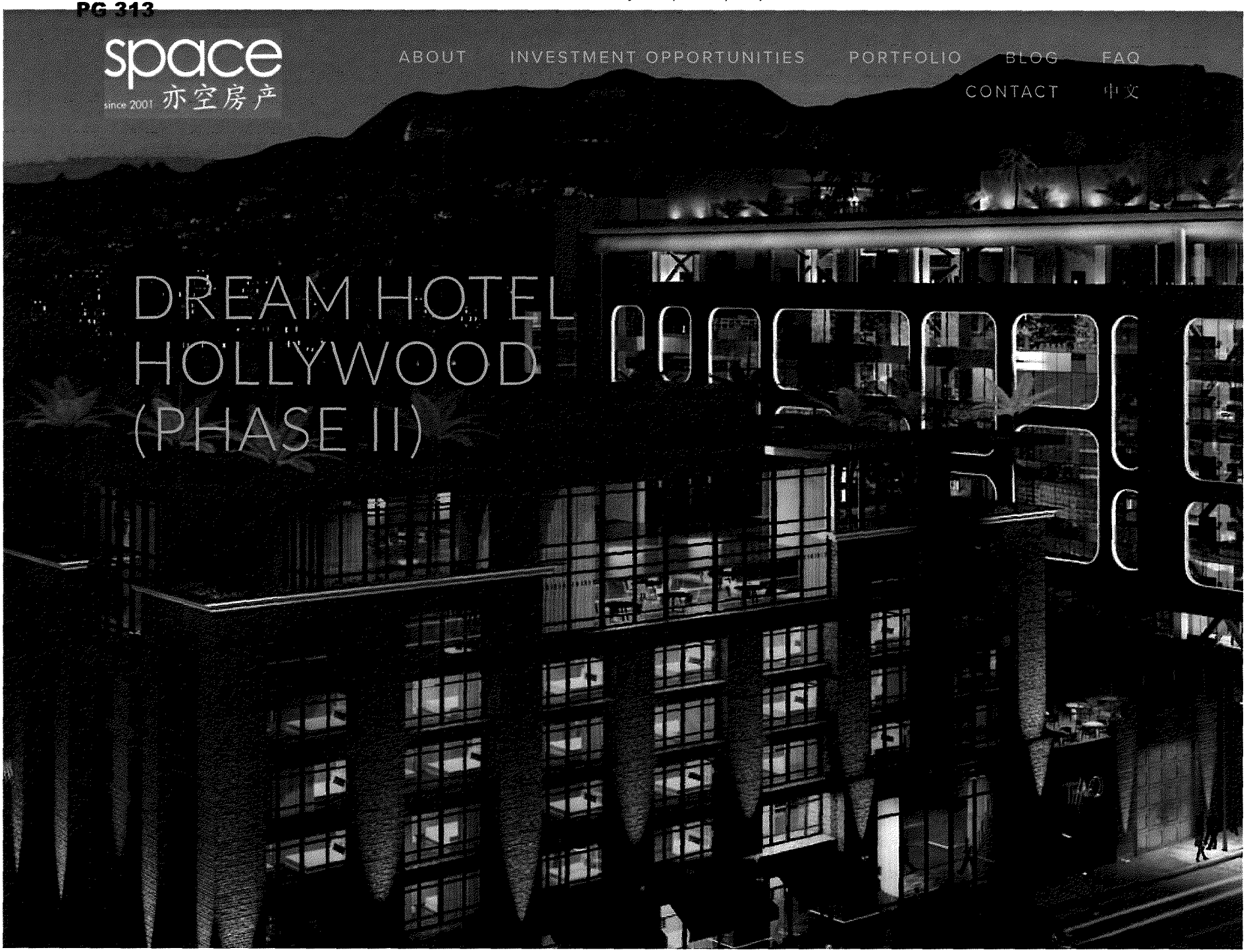
PG 313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DREAM HOTEL
HOLLYWOOD
(PHASE II)

FUNDRAISING EB-5 CAPITAL

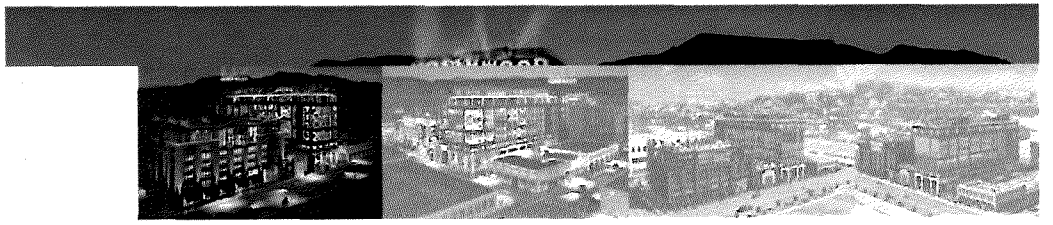
Investment Details

$ $28 Million

Seeking EB-5 Capital (56 individual EB-5 investors at $500,000 minimum per person)

Hollywood, California

PG 315

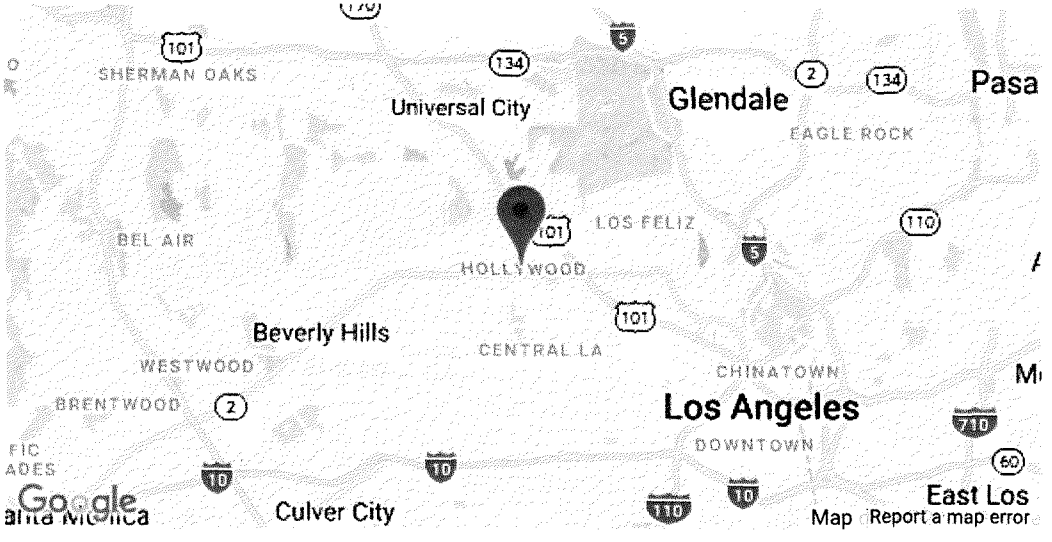


Investment Summary

Property Details

PG 316

Following the success of Phase 1, we are working with Hollywood International Regional Center to raise EB-5 capital for Phase 2 of the Dream Hotel Hollywood. The second phase of the hotel, a $43 million extension, is expected to begin construction by the end of 2014 and will feature 86 rooms and 6 marquee food & beverage venues, including the world-renowned Tao Restaurant & Lounge and Beauty & Essex. With $15 million in equity capital already raised, we are seeking $28 million in EB-5 investor capital (56 individual EB-5 investors at $500,000 minimum per person) to complete fundraising.



Development Cost
$43 Million

Site Area
9,079 sqm
97,727 sq. ft.

Hotel Rooms
86

F&B Venues
6

Project Highlights

Best-in-Class Partners

The hotel and food & beverage services will be managed by two of the most respected and internationally-recognized hospitality management companies in the world.

Unbeatable Location

The hotel is in the heart of Hollywood, the entertainment destination of the world.

Strong Demand

The Hollywood district is currently suffering from a severe shortage of hotel rooms.

Email us and we'll be happy to get you more information.

DOWNLOAD THE PROJECT TEASER

Contact English Inquiries

PG 318

Phone: +86 21 6268 2100

Address: 270 Jiaozhou Road, Unit 38, Suite 101, Shanghai, China 200040

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Managing Director

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Mobile: +86 138 1607 253

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LLC-5	Application to Register a Foreign Limited Liability Company (LLC)

201326810191

KC/KM

FILED
Secretary of State
State of California

SEP 24 2013

ICC

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To register an LLC from another state or country in California, fill out this form, and submit for filing along with:

- A **$70** filing fee, and
- A certificate of good standing, issued within the last six (6) months by the agency where the LLC was formed.
- A separate, non-refundable **$15** service fee also must be included, if you drop off the completed form.

Important! LLCs in California may have to pay a minimum $800 yearly tax to the California Franchise Tax Board. For more information, go to https://www.ftb.ca.gov.

LLCs cannot provide *professional* services in California.

For questions about this form, go to *www.sos.ca.gov/business/be/filing-tips.htm*

Name to be used for this LLC in California

① 6417 Selma Hotel, LLC

Proposed LLC Name

The name **must** end with: "LLC," "L.L.C.," "Limited Liability Company," "Limited Liability Co.," "Ltd. Liability Co." or "Ltd. Liability Company;" and **may not** include: "bank," "trust," "trustee," "incorporated," "inc.," "corporation," or "corp.," "insurer," or "insurance company."

LLC History

② a. If the proposed LLC name you listed above is different than the LLC name you use **now** (as listed on your certificate of good standing), list the complete LLC name used now:

b. Date your LLC was formed *(MM, DD, YYYY)*: 4/18/2013

c. State or country where your LLC was formed: Delaware

d. Your LLC currently has powers and privileges to conduct business in the state or country listed above.

Service of Process (List a California resident or an active 1505 corporation in California that agrees to be your agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may **not** list an LLC as the agent. **Do not** list an address if the agent is a 1505 corporation.)

③ a. eResidentAgent, Inc.
Agent's Name

b. _____ CA _____
Agent's Street Address (If agent is not a corporation) *City (no abbreviations)* *State* *Zip*

If the agent listed above has resigned or cannot be found or served after reasonable attempts, the California Secretary of State will be appointed the agent for service of process for your LLC.

LLC Addresses

④ a. 1605 Cahuenga Boulevard, Los Angeles, CA 90028
Street Address of Principal Executive Office *City (no abbreviations)* *State* *Zip*

b. 1605 Cahuenga Boulevard, Los Angeles, CA 90028
Street Address of Principal Office in California, if any *City (no abbreviations)* *State* *Zip*

c. _____
Mailing Address of Principal Executive Office, if different from 4a or 4b *City (no abbreviations)* *State* *Zip*

Read and sign below:

I am authorized to sign this document under the laws of the state or country where this LLC was formed.

▶ _____ Richard Heyman — Manager of Hollywood International Regional Center, LLC, Manager of Hollywood International Regional Center Selma, LLC, Its Manager

Sign here *Print your name here* *Your business title*

Make check/money order payable to: **Secretary of State**

Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a $5 certification fee.

By Mail	***Drop-Off***
Secretary of State Business Entities, P.O. Box 944228 Sacramento, CA 94244-2280	Secretary of State 1500 11th Street., 3rd Floor Sacramento, CA 95814

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "6417 SELMA HOTEL, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTEENTH DAY OF APRIL, A.D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "6417 SELMA HOTEL, LLC" WAS FORMED ON THE EIGHTEENTH DAY OF APRIL, A.D. 2013.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

Jeffrey W. Bullock, Secretary of State

5321332 8300

130454754

AUTHENTICATION: 0371080

DATE: 04-18-13

You may verify this certificate online at corp.delaware.gov/authver.shtml

201326810191

PG 321

Secretary of State
Statement of Information
(Limited Liability Company) 91

LLC-12

16-346162

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Secretary of State
State of California
NOV 17 2016

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Filing Fee - $20.00

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Certification Fee - $5.00

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1. Limited Liability Company Name
6421 SELMA RESTAURANT LLC

2. 12-Digit Secretary of State File Number	3. State or Place of Organization (only if formed outside of California)
201432110375	CALIFORNIA

4. Business Addresses

	City (no abbreviations)	State	Zip Code
a. Street Address of Principal Office - Do not list a P.O. Box 1605 N CAHUENGA BLVD	LOS ANGELES	CA	90028
b. Mailing Address of LLC, if different than item 4a	City (no abbreviations)	State	Zip Code
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code

5. Manager(s) or Member(s) If no *managers* have been appointed or elected, provide the name and address of each *member*. At least one name and address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (**see instructions**).

a. First Name, if an individual - Do not complete Item 5b	Middle Name	Last Name	Suffix

b. Entity Name - Do not complete Item 5a
6417 SELMA HOTEL LLC

c. Address	City (no abbreviations)	State	Zip Code
1605 N CAHUENGA BLVD	LOS ANGELES	CA	90028

6. Agent for Service of Process **Item 6a and 6b:** If the agent is an **individual**, the agent must reside in California and Item 6a and 6b must be completed with the agent's name and California address. **Item 6c:** If the agent is a California Registered **Corporate Agent**, a current agent registration certificate must be on file with the California Secretary of State and Item 6c must be completed (leave Item 6a-6b blank).

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix

b. Street Address (if agent is not a corporation) - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
		CA	

c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete item 6a or 6b
BUSINESS FILINGS INCORPORATED C2113485

7. Type of Business

a. Describe the type of business or services of the Limited Liability Company
RESTAURANT DEVELOPMENT

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix

b. Address	City (no abbreviations)	State	Zip Code

9. The information contained herein, including any attachments, is true and correct.

11/10/16	Andrew Shayne	CFO	
Date	Type or Print Name of Person Completing the Form	Title	Signature

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:
Company:
Address:
City/State/Zip:

PG 322

16-503649

Secretary of State
Statement of Information
(Limited Liability Company)

17

LLC-12

FILED
Secretary of State
State of California

NOV 28 2016

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Filing Fee - $20.00

Copy Fees – Face Page $1.00 & .50 for each attachment page;
Certification Fee - $5.00

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1. Limited Liability Company Name
6421 SELMA WILCOX HOTEL LLC

2. 12-Digit Secretary of State File Number	3. State or Place of Organization (only if formed outside of California)
201430110223	CALIFORNIA

4. Business Addresses

	City (no abbreviations)	State	Zip Code
a. Street Address of Principal Office - Do not list a P.O. Box 1605 N CAHUENGA BLVD	LOS ANGELES	CA	90028
b. Mailing Address of LLC, If different than Item 4a	City (no abbreviations)	State	Zip Code
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code

5. Manager(s) or Member(s)

If no ***managers*** have been appointed or elected, provide the name and address of each ***member***. At least one name **and** address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (**see instructions**).

a. First Name, if an individual - Do not complete Item 5b	Middle Name	Last Name	Suffix
b. Entity Name - Do not complete Item 5a 6421 DREAM 2 HOLDINGS LLC			
c. Address 1605 N CAHUENGA BLVD	City (no abbreviations) LOS ANGELES	State CA	Zip Code 90028

6. Agent for Service of Process

Item 6a and 6b: If the agent is an individual, the agent must reside in California and Item 6a and 6b must be completed with the agent's name and California address. **Item 6c:** If the agent is a California Registered Corporate Agent, a current agent registration certificate must be on file with the California Secretary of State and Item 6c must be completed (leave Item 6a-6b blank).

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is not a corporation) - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete item 6a or 6b BUSINESS FILINGS INCORPORATED (C2113485)			

7. Type of Business

a. Describe the type of business or services of the Limited Liability Company
MANAGE HOTEL DEVELOPMENT

8. Chief Executive Officer, if elected or appointed

a. First Name	Middle Name	Last Name	Suffix
b. Address	City (no abbreviations)	State	Zip Code

9. The Information contained herein, including any attachments, is true and correct.

Date	Type or Print Name of Person Completing the Form	Title	Signature
	Richard Heyman	Member	

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:
Company:
Address:
City/State/Zip:

PG 323

State of California
Secretary of State

137 L

STATEMENT OF INFORMATION
(Limited Liability Company)

Filing Fee $20.00. If this is an amendment, see instructions.

IMPORTANT — READ INSTRUCTIONS BEFORE COMPLETING THIS FORM

FILED
Secretary of State
State of California
OCT 28 2015

21|201 Pc
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1. LIMITED LIABILITY COMPANY NAME

1541 Wilcox Hotel LLC

File Number and State or Place of Organization

2. SECRETARY OF STATE FILE NUMBER: 201334510066

3. STATE OR PLACE OF ORGANIZATION (If formed outside of California): Delaware

No Change Statement

4. **If there have been any changes to the information contained in the last Statement of Information filed with the California Secretary of State, or no Statement of Information has been previously filed, this form must be completed in its entirety.**

☐ If there has been no change in any of the information contained in the last Statement of Information filed with the California Secretary of State, check the box and proceed to Item 15.

Complete Addresses for the Following (Do not abbreviate the name of the city. Items 5 and 7 cannot be P.O. Boxes.)

	CITY	STATE	ZIP CODE
5. STREET ADDRESS OF PRINCIPAL OFFICE: 1605 N Cahuenga Blvd	Los Angeles	CA	90028
6. MAILING ADDRESS OF LLC, IF DIFFERENT THAN ITEM 5			
7. STREET ADDRESS OF CALIFORNIA OFFICE: 1605 N Cahuenga Blvd	Los Angeles	CA	90028

Name and Complete Address of the Chief Executive Officer, If Any

8. NAME	ADDRESS	CITY	STATE	ZIP CODE

Name and Complete Address of Any Manager or Managers, or if None Have Been Appointed or Elected, Provide the Name and Address of Each Member (Attach additional pages, if necessary.)

	ADDRESS	CITY	STATE	ZIP CODE
9. NAME: Richard Heyman	1605 No. Cahuenga Blvd	Los Angeles	CA	90028
10. NAME: Grant King	1605 No. Cahuenga Blvd	Los Angeles	CA	90028
11. NAME				

Agent for Service of Process If the agent is an individual, the agent must reside in California and Item 13 must be completed with a California address, a P.O. Box is not acceptable. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1505 and Item 13 must be left blank.

12. NAME OF AGENT FOR SERVICE OF PROCESS: Business Filings Incorporated C2713483

13. STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL	CITY	STATE	ZIP CODE
		CA	

Type of Business

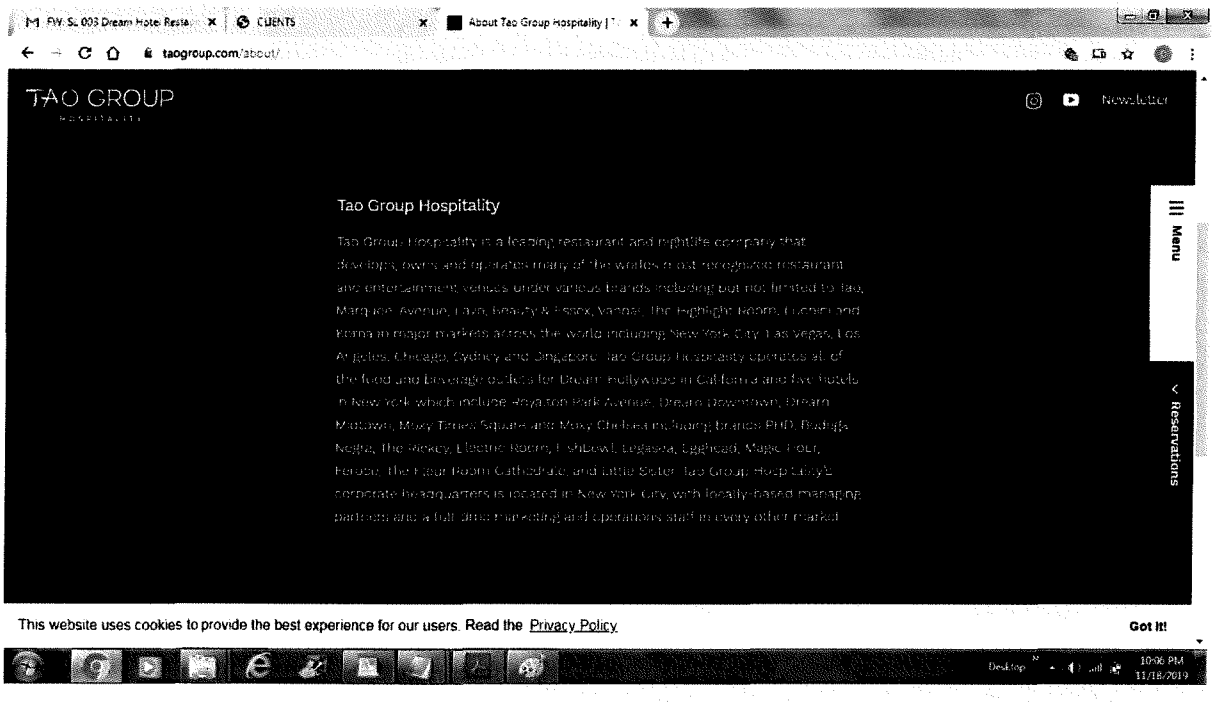
14. DESCRIBE THE TYPE OF BUSINESS OF THE LIMITED LIABILITY COMPANY
Hotel develpment an operations

15. THE INFORMATION CONTAINED HEREIN, INCLUDING ANY ATTACHMENTS, IS TRUE AND CORRECT.

10/27/2015	Richard Heyman	Member	
DATE	TYPE OR PRINT NAME OF PERSON COMPLETING THE FORM	TITLE	SIGNATURE

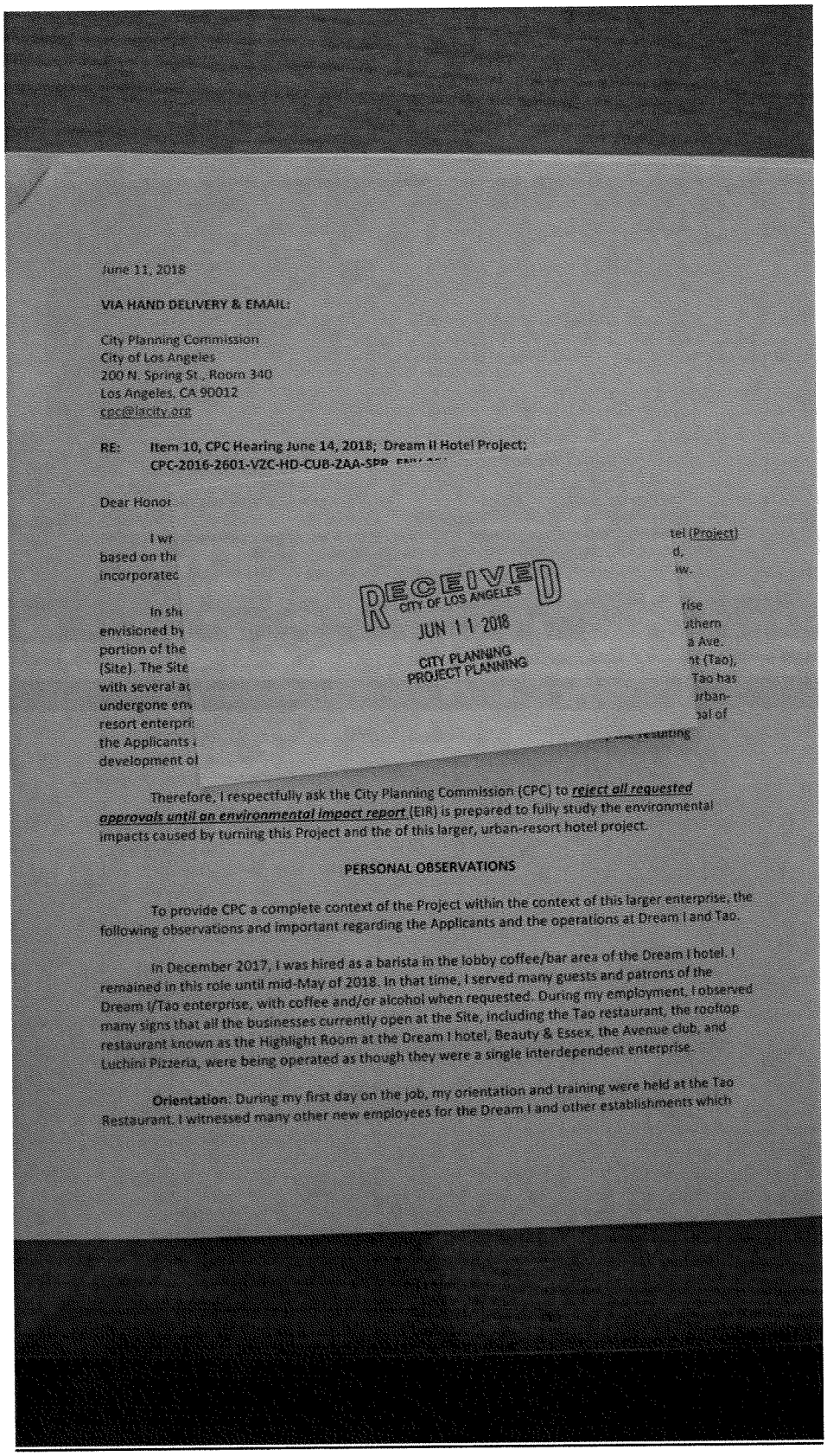
LLC-12 (REV 01/2014) APPROVED BY SECRETARY OF STATE

Tao Group Hospitality Web Page, Screenshot, November 18, 2019, 9:07:27 PM



PG 325

June 11, 2018 Letter from Daniel Pope Re Food Service and Valet Parking at Tao/Dream Hotel



June 11, 2018

VIA HAND DELIVERY & EMAIL:

City Planning Commission
City of Los Angeles
200 N. Spring St., Room 340
Los Angeles, CA 90012
cpc@lacity.org

RE: Item 10, CPC Hearing June 14, 2018; Dream II Hotel Project;
CPC-2016-2601-VZC-HD-CUB-ZAA-SPR-

Dear Honor

I wr tel (Project)
based on th d,
incorporatec tw.

In shi rise
envisioned by sthern
portion of the a Ave
(Site). The Site nt (Tao),
with several a Tao has
undergone en urban-
resort enterpri pal of
the Applicants resulting
development o

RECEIVED
CITY OF LOS ANGELES
JUN 11 2018
CITY PLANNING
PROJECT PLANNING

Therefore, I respectfully ask the City Planning Commission (CPC) to ***reject all requested approvals until an environmental impact report*** (EIR) is prepared to fully study the environmental impacts caused by turning this Project and the of this larger, urban-resort hotel project.

PERSONAL OBSERVATIONS

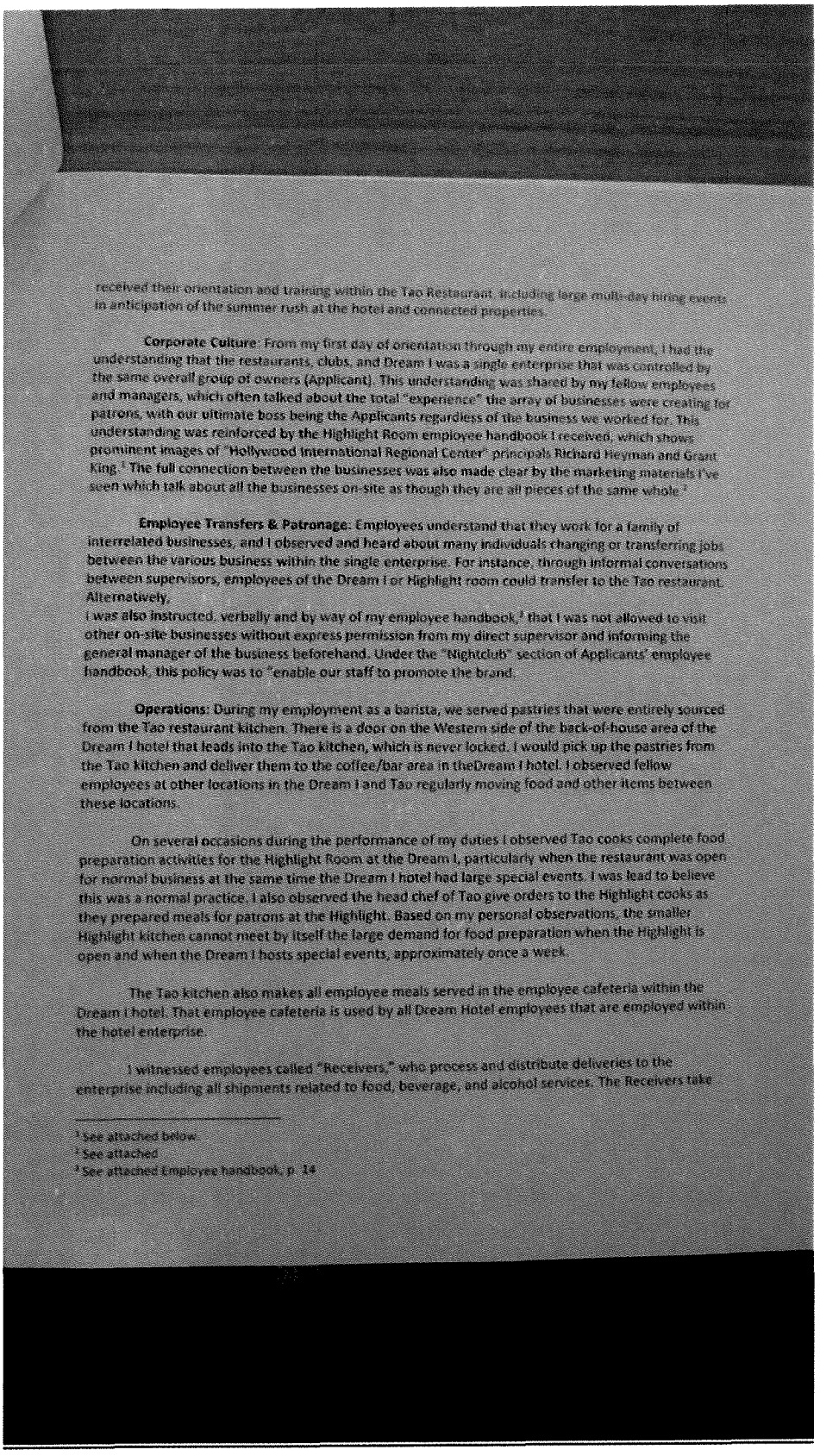
To provide CPC a complete context of the Project within the context of this larger enterprise, the following observations and important regarding the Applicants and the operations at Dream I and Tao.

In December 2017, I was hired as a barista in the lobby coffee/bar area of the Dream I hotel. I remained in this role until mid-May of 2018. In that time, I served many guests and patrons of the Dream I/Tao enterprise, with coffee and/or alcohol when requested. During my employment, I observed many signs that all the businesses currently open at the Site, including the Tao restaurant, the rooftop restaurant known as the Highlight Room at the Dream I hotel, Beauty & Essex, the Avenue club, and Luchini Pizzeria, were being operated as though they were a single interdependent enterprise.

Orientation. During my first day on the job, my orientation and training were held at the Tao Restaurant. I witnessed many other new employees for the Dream I and other establishments which

PG 326

June 11, 2018 Letter from Daniel Pope Re Food Service and Valet Parking at Tao/Dream Hotel



received their orientation and training within the Tao Restaurant, including large multi-day hiring events in anticipation of the summer rush at the hotel and connected properties.

Corporate Culture: From my first day of orientation through my entire employment, I had the understanding that the restaurants, clubs, and Dream I was a single enterprise that was controlled by the same overall group of owners (Applicant). This understanding was shared by my fellow employees and managers, which often talked about the total "experience" the array of businesses were creating for patrons, with our ultimate boss being the Applicants regardless of the business we worked for. This understanding was reinforced by the Highlight Room employee handbook I received, which shows prominent images of "Hollywood International Regional Center" principals Richard Heyman and Grant King.[1] The full connection between the businesses was also made clear by the marketing materials I've seen which talk about all the businesses on-site as though they are all pieces of the same whole.[2]

Employee Transfers & Patronage: Employees understand that they work for a family of interrelated businesses, and I observed and heard about many individuals changing or transferring jobs between the various business within the single enterprise. For instance, through informal conversations between supervisors, employees of the Dream I or Highlight room could transfer to the Tao restaurant. Alternatively,
I was also instructed, verbally and by way of my employee handbook,[3] that I was not allowed to visit other on-site businesses without express permission from my direct supervisor and informing the general manager of the business beforehand. Under the "Nightclub" section of Applicants' employee handbook, this policy was to "enable our staff to promote the brand.

Operations: During my employment as a barista, we served pastries that were entirely sourced from the Tao restaurant kitchen. There is a door on the Western side of the back-of-house area of the Dream I hotel that leads into the Tao kitchen, which is never locked. I would pick up the pastries from the Tao kitchen and deliver them to the coffee/bar area in theDream I hotel. I observed fellow employees at other locations in the Dream I and Tao regularly moving food and other items between these locations.

On several occasions during the performance of my duties I observed Tao cooks complete food preparation activities for the Highlight Room at the Dream I, particularly when the restaurant was open for normal business at the same time the Dream I hotel had large special events. I was lead to believe this was a normal practice. I also observed the head chef of Tao give orders to the Highlight cooks as they prepared meals for patrons at the Highlight. Based on my personal observations, the smaller Highlight kitchen cannot meet by itself the large demand for food preparation when the Highlight is open and when the Dream I hosts special events, approximately once a week.

The Tao kitchen also makes all employee meals served in the employee cafeteria within the Dream I hotel. That employee cafeteria is used by all Dream Hotel employees that are employed within the hotel enterprise.

I witnessed employees called "Receivers," who process and distribute deliveries to the enterprise including all shipments related to food, beverage, and alcohol services. The Receivers take

---

[1] See attached below.
[2] See attached
[3] See attached Employee handbook, p. 14

deliveries at the main loading dock at the back of the Dream I hotel, then proceed to distribute the shipments throughout the Site. On numerous occasions, I saw them take deliveries to the Tao, Highlight, my coffee/bar, and the other respective restaurants and clubs.

Valet and Parking Operations:

The valet parking in front of both the Dream hotel and the Tao Restaurant appear to be a single continuous endeavor. It's not clear to patrons or guests, or to other staff, if the valet stand is for one or the other business. Customers drive up and hand over their cars to the valet and then pick which destination they are patronizing. The Tao, the Highlight, the Dream, and the other restaurants and clubs adjacent to it, appear to use share parking across all the enterprise. I have learned this new Dream 2 hotel plans to use off-site parking at a Relevant Group Hotel just a few hundred feet away on Wilcox. It is my understanding that since Tao Restaurant has relatively few parking spaces but seats 330 most cars for its valet are parked elsewhere off-site.

CONCLUSION

Based on the extensive comments made by others opposing the Project already on the record, incorporated in their entirety by this reference, and based on my observations in this letter it is apparent the Project seems to be merely a component of a larger, urban-resort enterprise. This is an urban-resort envisioned by the owners and corporate officers of the Relevant Group (Applicants) for the southern portion of the city block bounded by Wilcox Ave./N. Cahuenga Blvd. and Hollywood Blvd./Selma Ave. I ask the city planning commission to deny all requested entitlements and certifications for this project. I further ask that a full Environmental Impact Report be done studying the masked significant environmental impacts caused by the resulting development.

Respectfully,

Daniel Pope

Attachments: [pages 4-8]

PG 328

Dream Hotel targets Hollywood for the young and unmarried

Chief Development Officer David Kuperberg on plans for new LA project and Peter Gatien lawsuit

TRD LOS ANGELES /
October 21, 2016
By Shira Levine

7
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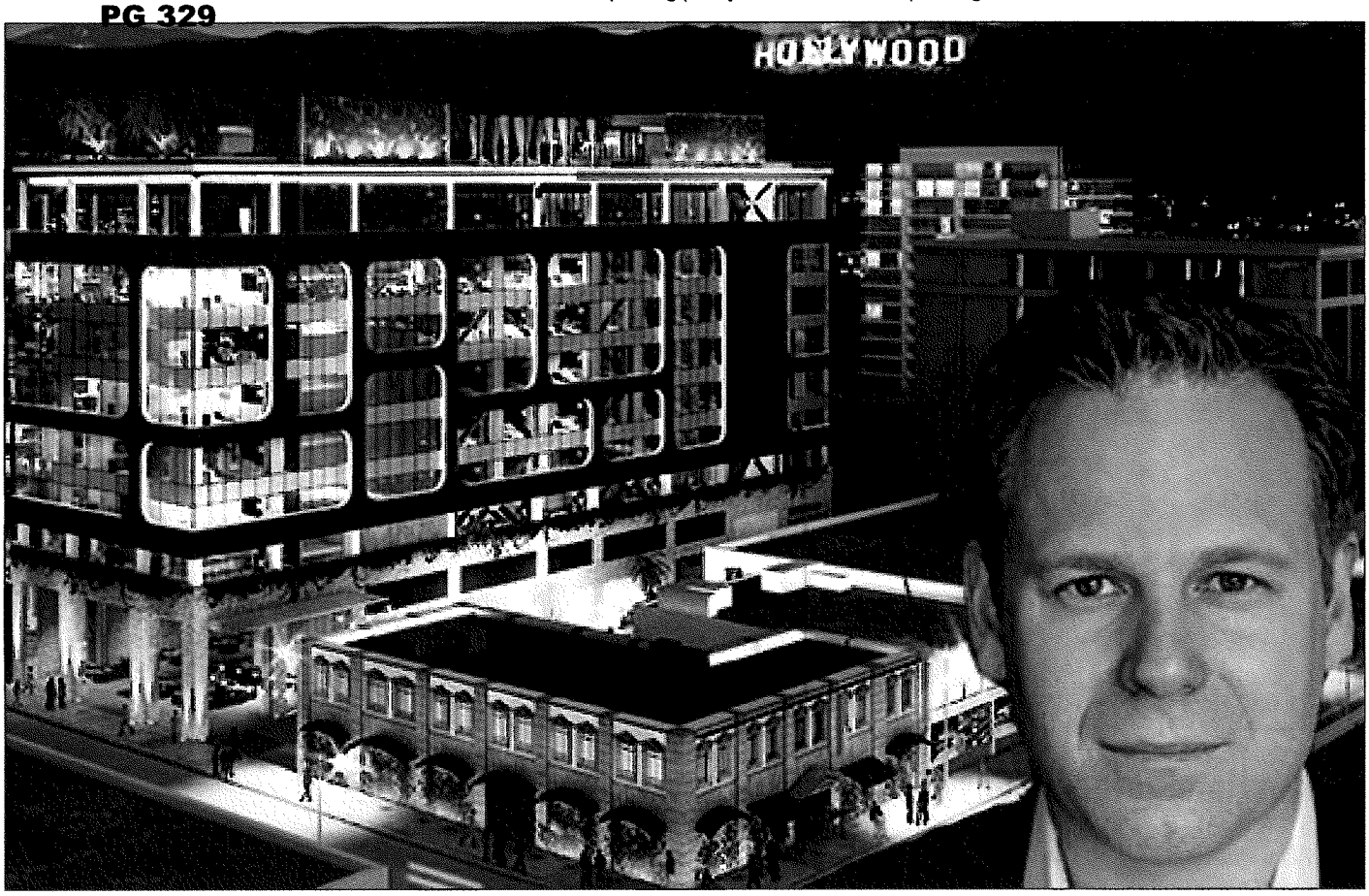

A rendering of the Dream Hollywood and David Kuperberg

When Dream Hotel Group's chief development officer David Kuperberg left Los Angeles for New York 18 years ago, he left behind a very different City of Angels.

"Culver City was nothing," Kuperberg said. "Santa Monica's Third Street promenade was just starting. Venice, Hollywood, Downtown, those are places you wouldn't have dreamed of spending time in."

Now Kuperberg is betting on those markets, starting with the 179-key Dream Hotel Hollywood, which is slated to open in 2017. We chatted with Kuperberg about the New York brand's expansion, homelessness in Hollywood and being sued by Peter Gatien.

So, the last we heard, Peter Gatien was suing your business partners for naming the club Limelight…

We are renaming it. We haven't come out with the official name. We are announcing it soon, closer to opening.

Why did you choose Hollywood specifically?

Silicon Beach, Santa Monica are too expensive because of the tech companies. More young, unmarried people are moving into Hollywood. The Dream brand's core principles are its food and beverage program and the level excitement they bring to a neighborhood. There are only so many places that have the same energy and Hollywood has the capacity to handle it.

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PG 330

Who are you are partnering with on the food and beverage side of things?

We are bringing Tao Group from New York and Vegas, and that is the anchor of our food and beverage program. Three of our five food and beverage properties are on the roof. That's three different rooftop venues. One is all day dining, the other is more of a lounge area, and the third is a nightlife type of venue. All are with incredible views. There is a pool up there too. The rooftop in Hollywood is three times the size of the one Downtown in New York.

How will you take on the challenge of adding development to an area that gets hit heavily already with traffic?

There is traffic and it's something we deal with and are getting through. We have more than seven food and beverage outlets, two restaurants are on the site, so we have been working on a parking strategy. That is something the GM is dealing with.

What exactly is the parking strategy?

All of our parking will be off-site except for what's under Tao. It's something that was a concern from day one. Originally the city was [requesting we use] the second floor for parking, but we were able to move the parking offsite. The rationale was to move the cars quickly from the activity rather than have that build up.

Homelessness has increased in Los Angeles, and is prevalent in Hollywood. How will that affect this project?

We see Dream Hollywood the way we saw our Downtown Manhattan property when we started that site nine years ago. Meatpacking was not what it is today. People thought we were crazy but we saw our vision. It's the same thing with Hollywood and the amount of energy we bring to a neighborhood, which makes things improve there and around the neighborhood. We're the catalysts for change.

How will you distinguish yourself from, say, the Roosevelt Hotel?

Someone could come stay with us and never have to leave the premises. They can go to our food and beverage outlets, to our club and bars, and then for late night pizza and never have to leave the hotel. We want to capture the guests with different desires both during the day and night.

The plans mentioned an alley installation?

It runs along the side next to our hotel and will be [open] all day and night, when it will look like a bazaar and feel like a whole separate neighborhood. All the food and beverage is accessed through the alley, so it's a place for people to congregate. We are bringing in cobblestones and will make it charming.

What lessons did you learn from New York that you're implementing in L.A.?

Using separate elevators from the street to reach the rooftop and not through the [hotel] lobby is a huge thing. That was a big lesson for us.

What will Dream Palm Springs be like?

Dream has had a presence already in Palm Springs doing pop ups at Coachella. This property is our first in the US to have Dream Residences. We launched th

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which is different than our other properti

PG 331

Dream-like product. We can make a big mark in that market based on the existing competition. We also do a good pool scene.

Where will the next Dream projects rise?

From a hotel standpoint, there are only so many markets where you could have more than one Dream. We are thinking DTLA, Mid-Wilshire, Studio City or Culver City. I'd love to get into Santa Monica and Venice.

Where do you live?

I live in Brentwood, in Mandeville. We love to take the dogs up into the mountains to hike so we tend to stay on that side of the 405 — the Brentwood, Santa Monica and Venice area.

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DREAM HOTEL

NOISE FROM ROOFTOP DECK

A number of Hollywood residents have called the Hollywood Division of the LAPD regarding excessive noise after midnight, usually during the summer months, but occasionally at other times. The LAPD has investigated and documented complaints, but neither the City Attorney, LADBS nor City Planning have taken any action to sanction the owners of the Dream Hotel. This is in spite of the fact that the environmental assessment found that the hotel would cause no significant noise impacts.

Hollywood resident Jeff McDonough lives a half mile north of the Dream Hotel, just above Franklin. He has sent numerous time stamped recordings to the LAPD documenting excessive noise from the Dream after midnight.

Below are the dates for the recordings made by McDonough just during 2019. The dates start with most recent and are listed in descending order.

Sunday Dec 8
Saturday Oct 5
Friday Oct 4
Sunday Sept 29
Thursday Sept 19
Friday Sept 20
Friday Aug 9
Saturday July 27
Wednesday July 10
Tuesday May 28
Wednesday May 29
Thursday May 16
Friday May 17
Saturday May 11
Sunday May 5

Connect Create Collaborate

Shana Bonstin <shana.bonstin@lacity.org>

Fwd: Hollywood / Dream Hotel

1 message

Lisa Webber <lisa.webber@lacity.org> Tue, Aug 16, 2016 at 11:22 AM
To: Shana Bonstin <shana.bonstin@lacity.org>, Blake Lamb <blake.lamb@lacity.org>, Jennifer Caira <Jennifer.Karmels@lacity.org>

---------- Forwarded message ----------
From: **Bullock, Craig** <cbullock@crala.org>
Date: Fri, Apr 15, 2016 at 5:03 PM
Subject: Hollywood / Dream Hotel
To: "LISA.WEBBER@LACITY.ORG" <LISA.WEBBER@lacity.org>

Hi Lisa,

It was nice speaking with you today. I am glad that we were able to touch base.

As a follow up to our conversation, I wanted to provide you some information, most of which is accessible via the City's website, about the possibility of a phase II, Dream Hotel, located on the 6400 block of Selma Avenue between Wilcox and Cahuenga Boulevard in Hollywood. I wasn't able to find any other approved city discretionary actions or MNDs for the sites being constructed. I could be entirely incorrect with my assumptions but I think it was worth looking into, especially given how contentious Hollywood is. Are you able to find approvals that perhaps I overlooked?

The Dream Hotel, Phase I, is already under construction and is the taller of the two buildings in the picture below. An MND (ENV-2007-3932-MND & ENV-2007-3932-MND-REC1) was completed for the project and the necessary entitlements and clearances provided.

Shortly after the clearances for phase I, I started receiving requests for demolitions and construction on properties immediately west of approved Dream Hotel, Phase I. The clearances requested and provided, individually, didn't grab my attention because there are many in Hollywood and, at the time, I didn't cross my mind that this could possibly be the continuation of the Dream Hotel. The construction of single story commercial building was nothing noteworthy but the 3 levels of underground storage is.

It was only when I was archiving my clearances that I began to notice/suspect that perhaps more was involved than was being indicated or requested. I searched www.hollywoodirc.com and found the photo below of Dream Hotel Phase II. Interestingly it is no longer on the website but under the photograph of the Dream Hotel it indicates Phase I whereas it doesn't state that under the Thompson Hotel and Tommie Hotel. To me, indicating a project is in Phase I, implies that there are other phases planned.

Thanks. I could be entirely mistaken but I thought it was worth sharing my observation with DCP.

Again, it was good talking to you. Please let me know if you have any questions.

Craig Bullock

Special Projects Officer

CRA/LA, A Designated Local Authority

448 S. Hill St., 12th Floor

Los Angeles, CA 90013

(213) 977-1600 OFFICE

(213) 977-1665 FAX

(213) 977-2632 DIRECT

cbullock@crala.org

www.crala.org

CRA/LA
A DESIGNATED
LOCAL AUTHORITY

1. 6421 – 6429 Selma Ave (15016-10000-22841).

This was shoring for one story commercial building with three levels of underground parking. The CRA/LA was not included as clearance for the shoring. Section 504 of the Hollywood Redevelopment Plan (http://www.crala.org/internet-site/Projects/Hollywood/upload/HollywoodRedevelopmentPlan.pdf) states that no building permit shall be issued until conformance to the Plan has been determined.

I may have flagged this earlier since it seems like such an odd work description given that the parking provided would exceed code at a cost staggering level. Having said that, this use conforms to the Redevelopment Plan and, on face value, there wasn't any reason to deny it. (scroll further down)

6421-6429 W SELMA AVE 90028

Application / Per...	15016-10000-22841
Plan Check / Job...	B15LA14765
Group	Building
Type	Nonbldg/New
Sub-Type	Commercial
Primary Use	29 Shoring/Temporary
Work Description	SHORING PLAN FOR A ONE STORY COMMERCIAL BUILDING W/ THREE LEVELS OF UNDERGROUND PARKING - ASSOCIATED TO PERMIT 15014-10000-03800. COMPLY WITH DEPARTMENT OF DEP effective date 02.07.2006. PERMIT WILL EXPIRE 30 DAYS FROM ISSUANCE DATE. TO DEAN LEE
Permit Issued	Issued on 3.2.2016
Issuing Office	Metro
Current Status	Issued on 3.2.2016

Permit Application Status History

Submitted	10.30.2015	APPLICANT
Assigned to Plan Check Engineer	11.10.2015	DEAN LEE
Corrections Issued	11.16.2015	DEAN LEE
Reviewed by Supervisor	11.20.2015	LAWRENCE DUPLANTE
Building Plans Picked Up	11.20.2015	APPLICANT
Applicant returned to address corrections	12.30.2015	DEAN LEE
Applicant returned to address corrections	12.30.2015	DEAN LEE
Plan Check Approved	2.24.2016	DEAN LEE
Issued	3.2.2016	LADBS

Permit Application Clearance Information

Encroachment in public row	Cleared	11.24.2015	JAMES HO
Eng Process Fee Old PC 900	Cleared	11.24.2015	JAMES HO
Work Adjacent to Public Way	Cleared	12.22.2015	JAMES HO
Roof Waste drainage to street	Cleared	2.3.2016	JAMES HO
Excavation more than 5ft deep	Cleared	2.10.2016	CALDONIA APPROVED

2. 6421 Selma Avenue (15044-10000-06415)

This is for the HVAC equipment and 3 levels of storage below grade. A permit was never issued.

6421 W SELMA AVE 90028

Application / Per...	15044-10000-05415
Plan Check / Job...	MISLA03205
Group	Mechanical
Type	HVAC
Sub-Type	Commercial
Primary Use	--
Work Description	INSTALL NEW HVAC SYSTEM FOR 3 LEVELS OF RESTAURANT AND 1 LEVEL OF STORAGE BELOW GRADE
Permit Issued	No
Current Status	Application Submitted on 6/30/2015

Permit Application Status History

No Data Available

Permit Application Clearance Information

No Data Available

Contact Information

Engineer Stella Vin Andrew Lic No. A23172 30 TECHNOLOGY DR STE 200 IRVINE CA 92618

6421 W SELMA AVE 90028

Application / Per...	14014-10000-05475
Plan Check / Job...	B14LA17173
Group	Building
Type	Bldg-New
Sub-Type	Commercial
Primary Use	401 Restaurant
Work Description	NEW MULTI-LEVEL RESTAURANT WITH THREE BELOW GRADE LEVEL STORAGE & FUTURE PARKING GARAGE SEE COMMENTS PE ADMIN APPROVAL (Note to inspector per Sanitation, the new owner of the property to execute a Master Covenant and Agreement document regarding on-site BMP Maintenance as required by the LID Ordinance No. 181899. Such document shall be executed prior to issuance of an, TCO) PERMIT BE EXPIRED 30 DAY FROM ISSUANCE PER INSPECTOR'S NOTICE
Permit Issued	Issued on 6/12/2015
Issuing Office	Metro
Current Status	Issued on 6/12/2015

Permit Application Clearance Information

"D" conditions	Cleared	1/16/2015	HERMAN VAN BUREN
Encroachment in public way	Cleared	1/16/2015	JAMES KHO
Eng Process Fee Ord 176,300	Cleared	1/16/2015	JAMES KHO
Highway dedication	Cleared	1/16/2015	JAMES KHO
Permit	Cleared	1/16/2015	JAMES KHO
Hydrant and Access approval	Cleared	2/9/2015	ROBERT DUFF
DI	Cleared	2/9/2015	MARITZA PRZEKOP
Project located in CRA area	Cleared	2/10/2015	JIM UROUHART
Food establishment approval	Cleared	3/9/2015	LACDHS APPROVED
Excavation more than 5-ft deep	Cleared	3/30/2015	CALOSHA APPROVED
Food Service Establishment	Cleared	4/1/2015	WILFREDO VALDEZ
Low Impact Development	Cleared	4/1/2015	IDA MEISAMI-FARD
Roof Waste drainage to street	Cleared	4/1/2015	JAMES KHO
Green Code	Cleared	4/14/2015	ROLLIN GETTLE III
DAS Clearance	Cleared	5/4/2015	EDDIE GARIN
Sewer availability	Cleared	5/4/2015	SHANNON CAMPBELL
Fire Marshall Fire Life Safety	Cleared	5/13/2015	DAVE MYERS
Address approval	Cleared	5/27/2015	JAMES KHO
Work Adjacent to Public Way	Cleared	6/11/2015	DAVID PEREZ

3. **6425 Selma Avenue (15042-10000-17760)**

This was a clearance for the plumbing for the 6425 Selma Avenue. The work description varies here to indicate three levels of below ground storage.

6425 W SELMA AVE 90028

Application / Per...	15042-10000-17760
Plan Check / Job...	M15LA04396
Group	Mechanical
Type	Plumbing
Sub-Type	Commercial
Primary Use	0
Work Description	RESTAURANT TENANT IMPROVEMENT. NEW CONSTRUCTION OF RESTAURANT WITH THREE LEVELS BELOW GROUND STORAGE AREA. ═══════ H L water pressure: 98 68 psi Domestic water meter's size: 2-1 2 in. PF Backflow device size: 3 in. Water pipe sizing = 3.8 psi 100ft
Permit Issued	Issued on 10 7 2015
Issuing Office	Metro
Current Status	Issued on 10 7 2015

Permit Application Status History

Submitted	9 2 2015	APPLICANT
Assigned to Plan Check Engineer	9 17 2015	JASON TRAN
Corrections Issued	9 22 2015	JASON TRAN
Reviewed by Supervisor	9 23 2015	ADEL SALAH EDDBIE
Applicant returned to address corrections	10 2 2015	JASON TRAN
Plan Check Approved	10 6 2015	JASON TRAN
Issued	10 7 2015	LADBS

Permit Application Clearance Information

Project located in CRA area	Cleared	9 23 2015	JIM UPOUHART

4. 6421 s

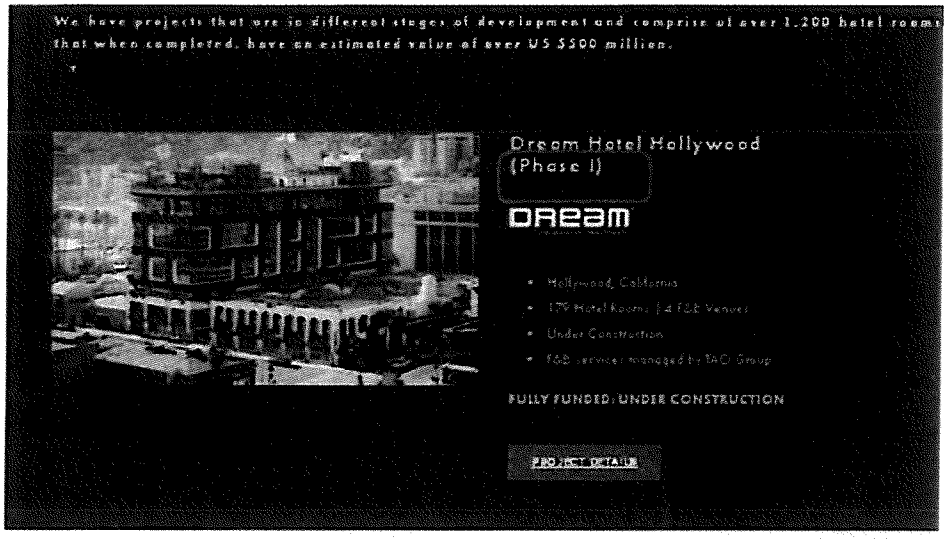
6429 W SELMA AVE 90028

Application / Per...	15014-10000-03880
Plan Check / Job...	B15LA11904
Group	Building
Type	Bldg-New
Sub-Type	Commercial
Primary Use	16 Retail
Work Description	CONSTRUCTION OF TYPE IA ONE STORY RETIL OCCUPANCY W/ 3 BELOW GRADE PARKING GARAGE
Permit Issued	Issued on 3 2 2016
Issuing Office	Metro

Permit Application Clearance Information

Encroachment in public way	Cleared	9/28/2015	ARMENIA HERNANDEZ
Eng Process Fee Ord 176,310	Cleared	9/28/2015	ARMENIA HERNANDEZ
"D" conditions	Cleared	10/13/2015	ANDY RODRIGUEZ
Hydrant and Access approval	Cleared	10/13/2015	ROBERT DUFF
ZA Case	Cleared	10/13/2015	ANDY RODRIGUEZ
ZI	Cleared	10/13/2015	ANDY RODRIGUEZ
Green Code	Cleared	11/5/2015	JOHN LARIN
DAS Clearance	Cleared	11/13/2015	WAI LAU
Highway dedication	Cleared	12/22/2015	JAMES KIM
Permit	Cleared	12/24/2015	JAMES KIM
Sewer availability	Cleared	12/24/2015	JAMES KIM
Driveway location	Cleared	12/29/2015	COLLINS ALLAN
Internal circulation	Cleared	12/29/2015	COLLINS ALLAN
Roof/swale drainage to street	Cleared	1/27/2016	NATALIE MOORE
Low Impact Development	Cleared	2/2/2016	IDA MEHSAHFARD
Project located in CPA area	Cleared	2/10/2016	JIM URQUHART
Work Adjacent to Public Way	Cleared	2/12/2016	WARREN LIU
Excavation more than 5ft deep	Cleared	2/19/2016	CALOSHA APPROVED

Dream Hotel, Phase II



–

Lisa Webber
Deputy Director
DEPARTMENT OF CITY PLANNING
D 213.978.1274 C 213.200.4382
E lisa.webber@lacity.org
200 N. Spring St., Suite 525
Los Angeles, CA 90012

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196K

6421 W Selma Ave

Permit #: **14014 - 10000 - 05475**
Plan Check #: B14LA17178 Printed: 06/12/15 10:15 AM
Event Code:

Bldg-New GREEN - MANDATORY
Commercial
Regular Plan Check
Plan Check

City of Los Angeles - Department of Building and Safety

APPLICATION FOR BUILDING PERMIT
AND CERTIFICATE OF OCCUPANCY

Issued on: 06/12/2015
Last Status: Issued
Status Date: 06/12/2015

1. TRACT	BLOCK	LOT(S)	ARB	COUNTY MAP REF #	PARCEL ID # (PIN #)	2. ASSESSOR PARCEL #
SACKETT TRACT		18	1	M B 16-150	148-5A187 303	5546 - 007 - 023

3. PARCEL INFORMATION

Area Planning Commission - Central
LADBS Branch Office - LA
Council District - 13
Certified Neighborhood Council - Central Hollywood
Community Plan Area - Hollywood
Census Tract - 1907.00
District Map - 148-5A187
Energy Zone - 9
Fire District - 1 (Entire parcel)
Near Source Zone Distance - .8
Thomas Brothers Map Grid - 593-F4

ZONE(S): C4-2D

4. DOCUMENTS

ZI - ZI-1352 Hollywood Redevelopment Proje	ZA - ZA-2003-4377-CUB	ORD - ORD-165660-SA90
ZI - ZI-2277 Hollywood Redevelopment Proje	ZA - ZA-2005-8661-CUB	ORD - ORD-173562
ZI - ZI-2374 LOS ANGELES STATE ENTER	ZA - ZA-2012-39-CUB	ORD - ORD-182173-SA4:1D
ZI - ZI-2433 Revised Hollywood Injunction	ORD - ORD-129944	ORD - ORD-182960

CRA - ZI 1352 HOLLYWOOD		
CPC - CPC-1986-835-GPC		
CPC - CPC-1997-43-CPU		
CPC - CPC-1999-2293-ICO		

5. CHECKLIST ITEMS

Special Inspect - Anchor Bolts	Special Inspect - Fire Proofing	Special Inspect - S.M.R. Frame-Steel
Special Inspect - Concrete>2.5ksi	Special Inspect - H/S Bolt	Special Inspect - Shotcrete
Special Inspect - Field Welding	Special Inspect - Masonry	Special Inspect - Structural Observation

6. PROPERTY OWNER, TENANT, APPLICANT INFORMATION

Owner(s):
WILCOSEL LLC
319 ROBERTSON BLVD, BEVERLY HILLS CA 90211 –
Tenant:

Applicant: (Relationship: Agent for Owner)
CRAIG FRY -
1070 ARROYO PARKWAY # 6, PASADENA, CA – (626) 665-9525

For Cashier's Use Only W/O #: 41405475

7. EXISTING USE

PROPOSED USE
(17) Restaurant
(22) Storage Building

8. DESCRIPTION OF WORK

NEW MULTI-LEVEL RESTAURANT WITH THREE BELOW GRADE LEVEL STORAGE <<FUTURE PARKING GARAGE SEE COMMENTS RE. ADMIN. APPROVAL>> (Note for inspector per Sanitation, the new owner of the property to execute a Master Covenant and Agreement document regarding on site BMP Maintenance as

9. # Bldgs on Site & Use: 1 OF 2, T.V. = $ 2,500,000

10. APPLICATION PROCESSING INFORMATION

BLDG. PC By: Dean Lee
OK for Cashier: Dean Lee
DAS PC By: Eddie Garin
Coord. OK:
Signature:
Date: 06/12/2015

11. PROJECT VALUATION Final Fee Period

Permit Valuation: $2,500,000
PC Valuation:
Sewer Cap ID:
Total Bond(s) Due:

12. ATTACHMENTS

Plot Plan

For inspection requests, call toll-free (888) LA4BUILD (524-2845). Outside LA County, call (213) 482-0000 or request inspections via www.ladbs.org. To speak to a Call Center agent, call 311. Outside LA County, call (213) 473-3231.

P140141000005475FN

```
LA 0003 102058338 6/12/2015 10:15:10 AM
BUILDING PERMIT COMM              $10,659.63
BUILDING PLAN CHECK                  $724.05
BUILDING PLAN CHECK                  $362.03
PLAN MAINTENANCE                     $213.19
EI COMMERCIAL                        $700.00
INVESTIGATION - CE                $21,319.26
ONE STOP SURCH                       $679.56
SYSTEMS DEVT FEE                   $2,038.69
CITY PLANNING SURCH                  $717.53
MISCELLANEOUS                         $10.00
PLANNING GEN PLAN MAINT SURCH        $597.95
ARTS DEV FEE                      $14,201.01
MISCELLANEOUS                         $40.00
SCHOOL DEV PKNG                    $1,914.66
SCHOOL DEV COMM                    $5,870.34
CA BLDG STD COMMISSION SURCHARGE     $100.00
BUILDING PLAN CHECK                    $0.00
                                  ----------
                Sub Total:        $60,147.90
Permit #: 140141000005475
Building Card #: 2015LA49283
Receipt #: 0102450285
```

12. STRUCTURE INVENTORY (Note: Numeric measurement data is the format "number / number" implies "change in numeric value / total resulting numeric value") **14014 - 10000 - 65475**

(P) Basement (BC): +3 Levels / 3 Levels	(P) Concrete Shearwall	(P) Provided Compact for Bldg: +16 Stalls / 16 Stalls
(P) Basement (ZC): +3 Levels / 3 Levels	(P) Masonry Shearwall	(P) Provided Disabled for Bldg: +2 Stalls / 2 Stalls
(P) Floor Area (ZC): +31144 Sqft / 31144 Sqft	(P) Steel Moment Frame	(P) Provided Standard for Bldg: +24 Stalls / 24 Stalls
(P) Height (BC): +24.6 Feet / 24.6 Feet	(P) A2 Occ. Group: +8869 Sqft / 8869 Sqft	(P) Short Term Bicycle Parking Provided for Bldg: +4 Spaces
(P) Height (ZC): +27 Feet / 27 Feet	(P) B Occ. Group: +1001 Sqft / 1001 Sqft	(P) Short Term Bicycle Parking Req'd for Bldg: +4 Spaces / 4
(P) Length: +185 Feet / 185 Feet	(P) S2 Occ. Group: +21274 Sqft / 21274 Sqft	(P) Type I-B Construction
(P) Mezzanine: +1 Levels / 1 Levels	(P) A2 Occ. Load: +424 Max Occ. / 424 Max Occ.	(P) Floor Construction - Concrete Deck
(P) Stories: +2 Stories / 2 Stories	(P) Long Term Bicycle Parking Provided for Bldg: +4 Spaces /	(P) Floor Construction - Concrete Slab on Grade
(P) Width: +100 Feet / 100 Feet	(P) Long Term Bicycle Parking Req'd for Bldg: +4 Spaces / 4	(P) Foundation - Concrete Mat Foundation
(P) NFPA-13 Fire Sprinklers Thru-out	(P) Parking Req'd for Bldg (Auto+Bicycle): +42 Stalls / 42 S	(P) Foundation - Continuous Footing

14. APPLICATION COMMENTS:
** Approved Seismic Gas Shut-Off Valve may be required. ** ADMIN.APPROVAL GRANTED BY LICCOLN LEE FOR 1>DEFRRED ALL 42 PARKING ON ADJACENT LOT<1541 WILCOX> 2>APPORVED DESIGN LOAD REDUCED TO 40#/SF IN LIEU OF *125#/SF FOR THREE BELOW GRADE LEVELS FOR FUTURE PARKING <ISSUED AS LIGHT STORAGE AT PRESENT>* NO C OF O NOR TCO BE GRANTED UNTIL ABOVE PARKING SATISFIED

In the event that any box (i.e. 1-16) is filled to capacity, it is possible that additional information has been captured electronically and could not be printed due to space restrictions. Nevertheless the information printed exceeds that required by section 19825 of the Health and Safety Code of the State of California.

15. BUILDING RELOCATED FROM:

16. CONTRACTOR, ARCHITECT & ENGINEER NAME	ADDRESS		CLASS	LICENSE #	PHONE #
(A) FLAMMANG, BARBARA HANSEN	1625 OLYMPIC BLVD.	SANTA MONICA, CA 90404		C13422	
(C) FIVE CHAIRS CONSTRUCTION	1605 CAHUENGA BLVD.	LOS ANGELES, CA 90028	B	488672	
(E) PETRONI, MATTHEW BRIAN	1809 GOODMAN AVE.	REDONDO BEACH, CA 90278		C69473	
(E) REED, ROY PAUL	9352 TWIN TRAILS #102,	SAN DIEGO, CA 92129		C80503	
(E) WAHBA, WAHBA FARIS	10041 SYLVIA AVE.	NORTHRIDGE, CA 91324		C33667	

PERMIT EXPIRATION/REFUNDS: This permit expires two years after the date of the permit issuance. This permit will also expire if no construction work is performed for a continuous period of 180 days (Sec. 98.0602 LAMC). Claims for refund of fees paid must be filed within one year from the date of expiration for permits granted by LADBS (Sec. 22.12 & 22.13 LAMC). The permittee may be entitled to reimbursement of permit fees if the Department fails to conduct an inspection within 60 days of receiving a request for final inspection (HS 17951).

17. LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect. The following applies to B contractors only: I understand the limitations of Section 7057 of the Business and Professional Code related to my ability to take prime contracts or subcontracts involving specialty trades.

License Class: B License No.: 488672 Contractor: FIVE CHAIRS CONSTRUCTION

18. WORKERS' COMPENSATION DECLARATION

I hereby affirm, under penalty of perjury, one of the following declarations:

( ) I have and will maintain a certificate of consent to self insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

( ) I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier: _____ Policy Number: _____

(X) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

19. ASBESTOS REMOVAL DECLARATION / LEAD HAZARD WARNING

I certify that notification of asbestos removal is either not applicable or has been submitted to the AQMD or EPA as per section 19827.5 of the Health and Safety Code. Information is available at (909) 396-2336 and the notification form at www.aqmd.gov. Lead safe construction practices are required when doing repairs that disturb paint in pre-1978 buildings due to the presence of lead per section 6716 and 6717 of the Labor Code. Information is available at Health Services for LA County at (800) 524-5323 or the State of California at (800) 597-5323 or www.dhs.ca.gov/childlead.

20. CONSTRUCTION LENDING AGENCY DECLARATION

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civil Code).

Lender's Name (If Any): _____ Lender's Address: _____

21. FINAL DECLARATION

I certify that I have read this application INCLUDING THE ABOVE DECLARATIONS and state that the above information INCLUDING THE ABOVE DECLARATIONS is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this city to enter upon the above-mentioned property for inspection purposes. I realize that this permit is an application for inspection and that it does not approve or authorize the work specified herein, and it does not authorize or permit any violation or failure to comply with any applicable law. Furthermore, neither the City of Los Angeles nor any board, department officer, or employee thereof, make any warranty, nor shall be responsible for the performance or results of any work described herein, nor the condition of the property nor the soil upon which such work is performed. I further affirm under penalty of perjury, that the proposed work will not destroy or unreasonably interfere with any access or utility easement belonging to others and located on my property, but in the event such work does destroy or unreasonably interfere with such easement, a substitute easement(s) satisfactory to the holder(s) of the easement will be provided (Sec. 91.0106.4.3.4 LAMC).

By signing below, I certify that:

(1) I accept all the declarations above namely the Licensed Contractor's Declaration, Workers' Compensation Declaration, Asbestos Removal Declaration / Lead Hazard Warning, Construction Lending Agency Declaration, and Final Declaration; and

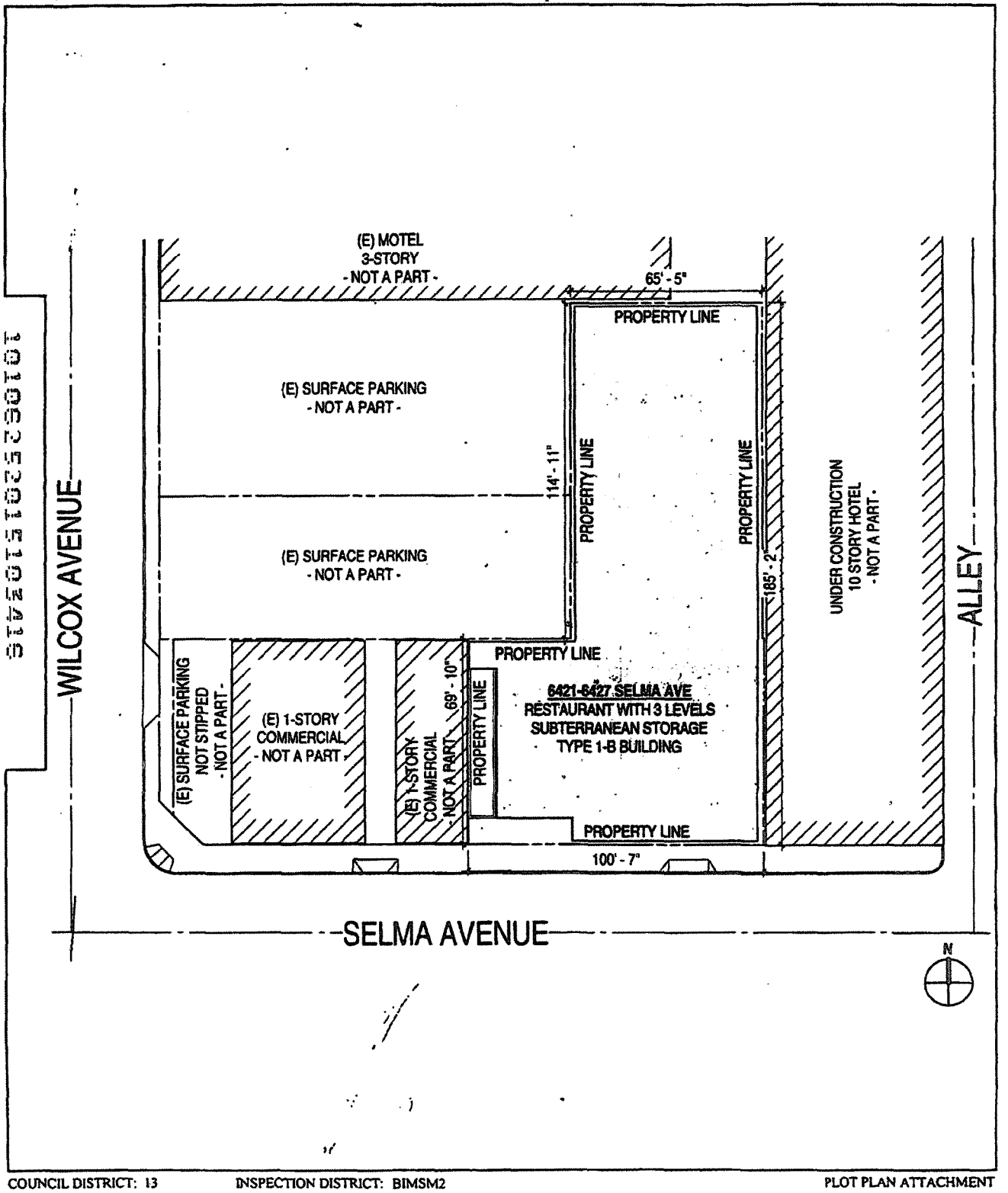
(2) This permit is being obtained with the consent of the legal owner of the property.

Print Name: CRAIG FRY Sign: _____ Date: 06/12/2015 ☐ Contractor ☒ Authorized Agent

6421 W Selma Ave

Permit Application # : 14014 - 10000 - 05475

Bldg-New Commercial Plan Check	City of Los Angeles - Department of Building and Safety **PLOT PLAN ATTACHMENT**	Plan Check #: B14LA17178FO Initiating Office: METRO Printed on: 05/08/15 14:24:22



COUNCIL DISTRICT: 13 INSPECTION DISTRICT: BIMSM2 PLOT PLAN ATTACHMENT

Shana Bonstin <shana.bonstin@lacity.org>

Fwd: 6417-6429 Selma Avenue / Dream Hotel Phase II
1 message

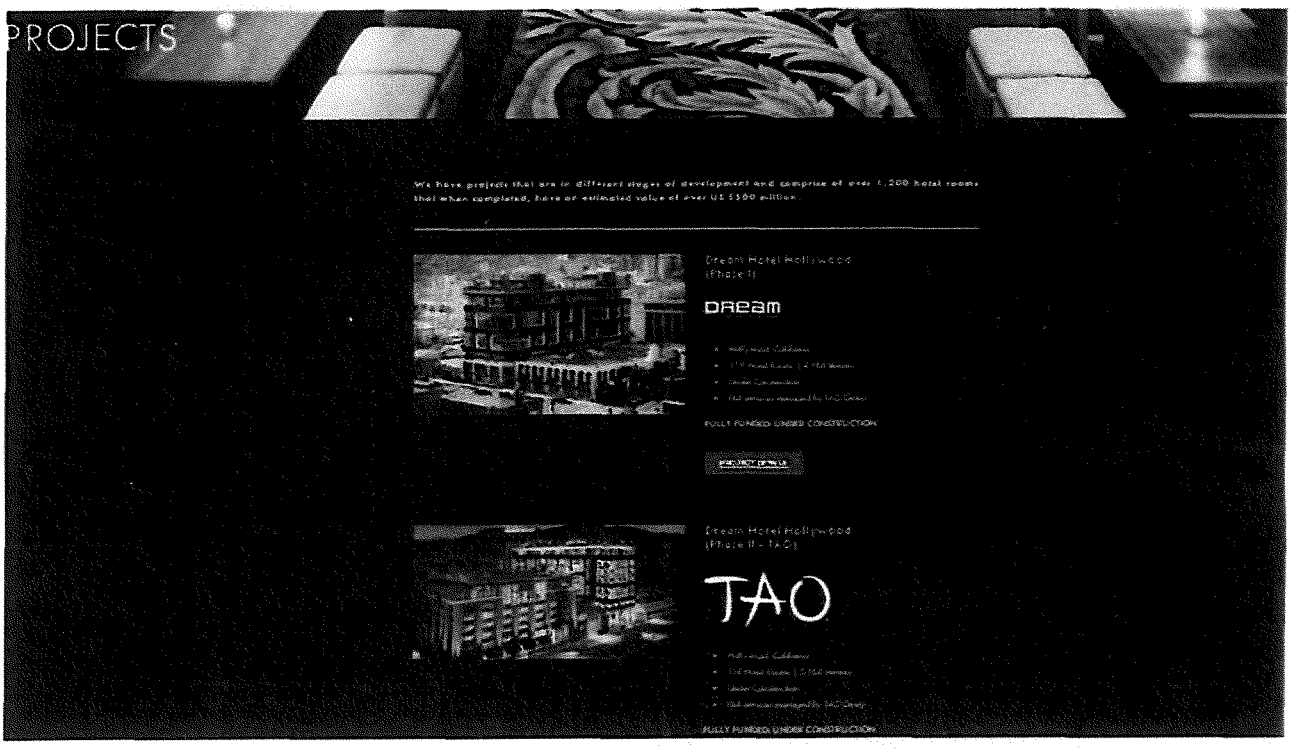
Lisa Webber <lisa.webber@lacity.org> Tue, Aug 16, 2016 at 11:18
To: Jennifer Caira <Jennifer.Caira@lacity.org>, Blake Lamb <blake.lamb@lacity.org>, Shana Bonstin <shana.bonstin@lacity.org>

---------- Forwarded message ----------
From: **Bullock, Craig** <cbullock@crala.org>
Date: Fri, Apr 22, 2016 at 12:26 PM
Subject: 6417-6429 Selma Avenue / Dream Hotel Phase II
To: "LISA.WEBBER@LACITY.ORG" <LISA.WEBBER@lacity.org>

Hi Lisa,

I was glad we were able to finally touch base. Below is the link to the website with the Phase II for the Dream Hotel, located in Hollywood.

http://www.hollywoodirc.com/projects-no-tao/



-

Lisa Webber *DEPARTMENT OF CITY PLANNING*
Deputy Director D 213.978.1274 C 213.200.4382
E lisa.webber@lacity.org
200 N. Spring St., Suite 525
Los Angeles, CA 90012

Dream Hotel Phase II.docx
409K

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

CITY LA DBS
DEPARTMENT OF BUILDING AND SAFETY

Connect Create Collaborate

Frank Quon <frank.quon@lacity.org>

Dream Hotel Modifications, ZA-2013-3504-ZV-PA1, Comments Part 1

1 message

Casey Maddren <cmaddren@gmail.com> Tue, Jun 2, 2020 at 12:53 PM
To: frank.quon@lacity.org
Cc: Casey Maddren <cmaddren@gmail.com>

Dear Mr. Quon,

I wanted to follow up on today's hearing regarding the project referenced above. I appreciate your taking the time to consider this matter carefully. I've sent extensive comments on this matter to Oliver Netburn, and I'm sure hard copies are already in the case file, but I'm sending them again so you'll have access to the PDFs. They may be easier to deal with and more readily searchable. Since the original document is large, I'm sending it in two parts. The first part is attached. I'll send the second part in a separate e-mail, since Gmail does not allow files over 25 M.

I look forward to receiving your determination.

Thanks,
Casey Maddren

Dream Modifications ZA 2013 3504 ZV PA1 Comments Part 1 of 2.pdf
19585K

May 19, 2020

Oliver Netburn, City Planner
Department of City Planning
200 N. Spring St., Room 763
Los Angeles, CA 90012
Oliver.Netburn@lacity.org

SENT VIA E-MAIL

Re: 6415 - 6417 W. Selma Ave.
Case No.: ZA-2013-3504-ZV-PA1
CEQA No.: ENV-2018-7559-CE
OPPOSED
COMMENT LETTER W/ REVISED EXHIBITS

Dear Oliver,

Here's the revised and reduced version of the comment letter I sent earlier this month.

Please note that the letter is being sent in two parts, as two PDF files, with the following names:

- *Dream Modifications ZA 2013 3504 ZV PA1 Comments Part 1 of 2*
- *Dream Modifications ZA 2013 3504 ZV PA1 Comments Part 2 of 2*

Unfortunately, the full letter with exhibits is still pretty long, running 346 pages. But it's still less than half as long as the earlier version of the letter, so hopefully this will make things a little easier. I've also included an index at the end of my comments, which should make it easier to locate the exhibits. And everything can be printed in black and white. No point wasting color toner.

My written comments, which follow, are the same as before. I oppose approving the actions requested in connection with the project referenced above. My objections are outlined below.

Please send a brief response to confirm that you've received parts one and two of this letter, and that they'll both be included in the case file.

Thanks for your help.

Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068
cmaddren@gmail.com

Objections to Requested Actions for 6415 - 6417 W. Selma Ave., Case No.: ZA-2013-3504-ZV-PA1, CEQA No.: ENV-2018-7559-CE

The hearing notice states that the proposed project is to allow modifications to Case No. ZA-2013-3504-ZV to reflect a 14,427 sq. ft. increase in the total floor area and the removal of all on-site automobile parking, in conjunction with the expansion and continued operation of an existing hotel.

1. You Can't Remove Parking That Doesn't Exist

Let's be clear. There is no on-site parking at the Dream Hotel, located at 6417 W. Selma in Hollywood. The requested action is merely a way to legalize the Developer's previous illegal action. The approved plan for the original project required 77 parking spaces. The Developer chose not to build those spaces, and in doing so added significant square footage to the project, well beyond what was specified in approved plan. To repeat, the Dream Hotel has no on-site parking. The Department of City Planning (DCP) and the Department of Building & Safety (DBS) are well aware of this. Rather than sanctioning the developer for failing to build the approved project, the DCP is attempting to remedy the situation by granting an after-the-fact approval.

2. CEQA Does Not Allow the Proposed Exemption

The hearing notice says that the Zoning Administrator will consider granting an Exemption from CEQA pursuant to CEQA Guidelines Section 15301, Class 1. This section reads as follows:

> *15301. EXISTING FACILITIES*
>
> *Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use. Examples include but are not limited to:*
>
> *(e) Additions to existing structures provided that the addition will not result in an increase of more than:*
>
> *(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; or*
>
> *(2) 10,000 square feet if:*
>
> *(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and*
>
> *(B) The area in which the project is located is not environmentally sensitive.*

The hearing notice states that the project involves modifications resulting in an increase of 14,427 square feet. It is clear that the requested increase in square footage goes far beyond what is allowed under a Class 1 Exemption. Therefore, an exemption from CEQA cannot be granted.

3. Approval of Removal of On-Site Parking and Increased Floor Area Continues Piecemealing

The requested plan approval to modify Case No. ZA-2013-3504-ZV constitutes piecemealing. The requested modification is not just a reasonably foreseeable consequence of the existing project, it has already taken place, without any corresponding environmental analysis. In addition, the Dream Hotel Phase 1 (6417 Selma) is part of a larger piecemealed project, which includes the Dream Hotel Phase 2 (6421 Selma) and the Tao Restaurant (6421 Selma), which is also part of a larger piecemealed hotel/entertainment complex, including the Thompson (1541 Wilcox) the tommie (6516 Selma), and the Citizen News adaptive re-use project. Richard Heyman and Grant King are Real Parties in Interest in all of the projects listed above, either in their roles as Managing Partners of Hollywood International

Regional Center (HIRC), or in their roles as Managing Partners of Relevant (or its predecessor, Five Chairs) or as officers listed on filings for the numerous corporations created for the purpose of pursuing these various projects.

In spite of claims made by Richard Heyman and Grant King, their representatives, and the City of Los Angeles that these projects are separate and independent of each other, the following evidence proves the contrary:

a. Three Separate Applications for a Single Project

In 2014 a fundraising brochure was published by Space Global which clearly identifies the Dream Phase 1 (6417 Selma) and the Dream Phase 2 (6421 Selma) as two phases pf the same project. The brochure refers to the Dream Phase 2 as "a $43 million extension" of the Dream Phase 1. The same brochure also identifies the Tao Restaurant as a component of the overall project. Heyman and King, using various corporate entities, filed separate applications with the City of LA for the Dream Phase 1, the Tao Restaurant, and the Dream Phase 2, even though the fundraising brochure clearly shows that all three of these components were considered part of a single project at least as far back as 2014.

The City of LA produced a Mitigated Negative Declaration as the environmental assessment for the Dream Phase 1. After the project was approved, Heyman and King then submitted an application for the Tao Restaurant and Retail Project using a corporate entity named "6421 Selma Wilcox Hotel LLC". The City produced a separate MND for the Tao Restaurant and Retail Project and the project was subsequently approved.

Following the approval of the Tao Restaurant and Retail Project, Heyman and King submitted yet another application, again under the auspices of 6421 Selma Wilcox Hotel LLC, this time for a hotel project which would rise adjacent to and on top of the Tao Restaurant. The City then produced a third MND for the Dream Hotel Phases 1 & 2, making the unusual claim that they satisfied the requirements of CEQA by producing an environmental assessment using two different baselines, one baseline assessing impacts from a date prior to the construction of Tao, and another baseline assessing impacts on top of those associated with Tao.

DCP staff was alerted to the fact that the multiple applications were all connected to a single hotel complex. CRA employee Craig Bullock sent an e-mail to Lisa Webber at the DCP to say that Heyman and King appeared to be engaged in peicemealing. Hollywood resident David Carrera also sent a copy of a fundraising brochure which clearly states that Dream Phase 1, the Tao Restaurant and the Dream Phase 2 are part of a single project. I also sent a fundraising brochure to the DCP via e-mail which stated the same. In spite of multiple communications from a City employee and Hollywood residents, DCP staff, the City Planning Commission, and members of the City Council ignored clear evidence of piecemealing.

b. Tao Restaurant Is Not an Independent Entity

Richard Heyman and Grant King, their representatives, and the City of Los Angeles have claimed repeatedly that Tao Restaurant is independent of the Dream Hotel Phase 1 and that the Hotel does not have a connection with Tao. There is ample evidence to demonstrate otherwise.

i.
The case file for 6421 Selma Wilcox Hotel contains a letter from Daniel Pope, a former employee of Tao, which states that that Tao provides food to guests and employees at the Dream Hotel, 6417 Selma.

ii.
A screenshot taken on November 18, 2019 from the Tao Hospitality Group web page makes the following statement:

"Tao Group Hospitality operates all of the food and beverage outlets for Dream Hollywood [....]"

iii.
An October 21, 2016 article in real estate publication The Real Deal contains an interview with Dream Hotel Chief Development Officer David Kuperberg regarding the Dream chain's new hotel in Hollywood, i.e. Dream Phase 1, at 6417 Selma. Here is an excerpt from the interview:

Who are you are partnering with on the food and beverage side of things?
We are bringing Tao Group from New York and Vegas, and that is the anchor of our food and beverage program. Three of our five food and beverage properties are on the roof. That's three different rooftop venues. One is all day dining, the other is more of a lounge area, and the third is a nightlife type of venue. All are with incredible views. There is a pool up there too. The rooftop in Hollywood is three times the size of the one Downtown in New York.

iv.
Documents from DBS show a physical connection between Tao and the Dream Phase 1 in the form of a doorway. DBS documents further show that electrical connections from the Dream Phase 1 have been used to provide power for Tao.

c. Required Parking Has Repeatedly Been Moved from One Location to Another

i.
The 2014 determination letter for the Dream Phase 1 (6417 Selma) states that the project is required to have 77 parking spaces. A visit to the hotel makes clear that the finished structure contains no parking.

ii.
Another excerpt from the October 21, 2016 interview with Dream CDO David Kuperberg published in The Real Deal contains the following quote:

What exactly is the parking strategy?
All of our parking will be off-site except for what's under Tao. It's something that was a concern from day one. Originally the city was [requesting we use] the second floor for parking, but we were able to move the parking offsite. The rationale was to move the cars quickly from the activity rather than have that build up.

This statement makes it clear that Heyman and King, with Kuperberg's knowledge, had made the decision to move the parking off-site, in spite of the fact that the approved project required 77 parking spaces.

iii.
The original plan for the Tao Restaurant Retail Project includes three subterranean levels which were initially referred to as storage in DBS documents, and then later changed to parking. In light of Kuperberg's statement in The Real Deal, it seems clear that the three subterranean levels were intended to provide the parking which the developers had chosen not to include in the Dream Phase 1 at 6417 Selma.

iv..
The Recommendation Report published on June 14, 2018 for the Selma Wilcox Hotel Project (Dream Phase 2, 6421 Selma Hotel), CPC-2016-2601-VZC-HD-CUB-SPR, also contains the Initial Study and MND for the project. The Project Description on the first page of the IS/MND (which follows the Recommendation Report) contains the following statement:

The required 86 parking spaces would be provided in the subterranean parking structure (50 spaces) and off-site (36 spaces) at 1541 Wilcox Avenue.

1541 Wilcox is the address of the Thompson Hotel, which was built under the auspices of 1541 Wilcox Hotel, LLC. The corporate filing for 1541 Wilcox Hotel, LLC lists Richard Heyman and Grant King as managers.

The approval of the request by Relevant and/or its representatives to allow off-site parking at another property being developed by Heyman and King shows that these individual hotel projects are not independent, but in fact are interconnected through the common involvement of Heyman and King, their company Relevant (or its predecessor, Five Chairs), and through the various corporations which include their names on corporate filings. The fact that some of the required parking for the Selma Wilcox Hotel Project (Dream Phase 2, 6421 Selma Hotel) was moved off-site with the City's approval to another project owned by Heyman and King, and/or their various corporate entities, indicates that the Dream Phase 1 and 2, and the Thompson Hotel were conceived as a pieces of a hotel/entertainment complex with multiple components.

Knowing that Heyman and King and their various corporate entities were behind the Dream Phase 1, the Dream Phase 2, the Tao Restaurant and the Thompson Hotel, with ample evidence in the related case files to show that the structures were interconnected and that each supported the operation of the other, the City repeatedly allowed Heyman and King to file separate applications for the various components of their project, and the City proceeded to approve the separate applications, when, in fact, it was clear that the developers envisioned a unified hotel/entertainment complex which would require an Environmental Impact Report under CEQA.

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Case Summary Saved as PDF 4/5/2020

Case Summary & Documents

Case Number | Ordinance | Zoning Information | CPC Cards | ZA Cards

Case Number:

ENV-2018-7559-CE

Search

0 Case Documents found for Case Number: ENV-2018-7559-CE		
Type	Scan Date	Signed
No Documents Found		

Case Number: ENV-2018-7559-CE

Case Filed On: 12/19/2018

Accepted for review on:

Assigned Date: 04/09/2019

Staff Assigned: OLIVER NETBURN

Hearing Waived / Date Waived : /

Hearing Location:

Hearing Date / Time: /

ENV Action:

ENV Action Date:

End of Appeal Period:

Appealed: No

BOE Reference Number:

Case on Hold?: No

Primary Address

Address	CNC	CD
6417 W SELMA AVE 90028	Central Hollywood	13

View All Addresses

Project Description: ZONE VARIANCES FROM Q CONDITIONS 1, 3, 4, AND 7 OF ORDINANCE NO. 180,381 TO ALLOW INCREASED GUEST ROOMS, HEIGHT, F.A.R. AND TO PROVIDE PARKING IN CONFORMITY WITH ORDINANCE 182,386

Requested Entitlement: ZONE VARIANCE REQUESTS FROM Q CONDITIONS 1, 3, 4, AND 7 OF ORDINANCE NO. 180,381 TO ALLOW INCREASED GUEST ROOMS, F.A.R. AND TO PROVIDE PARKING IN CONFORMITY WITH ORDINANCE 182,386 ("BICYCLE ORDINANCE") TO DEVELOP A 182-ROOM 10-STORY BOUTIQUE HOTEL CONSISTING OF 79,376 SQUARE FEET OF FLOOR AREA, WITH 4,581 SQUARE FEET OF COVERED COMMERCIAL SPACE (INCLUDED IN OVERALL TOTAL SQUARE FOOTAGE), WITH A POOL, RESTAURANT USES, AND PARKING ON THE 1ST AND 2ND FLOORS. THIS REQUEST ALSO MODIFIES OTHER ANCILLARY Q CONDITIONS TO CORRECT MISWORDING INDICATED IN THE ORIGINAL CPC 2007-3931(ZC)(CU)(CUB)(ZV)(SPR) APPROVAL. THE SECOND ZONE VARIANCE REQUESTS THE APPROVAL OF OFF-SITE PARKING BY LEASE IN LIEU OF A RECORDED

COVENANT AND TO PERMIT MODIFICATIONS TO PUBLIC NING CODE P/ZC 2002-001. THE SUBJECT SITE CONSISTS OF 13,923 SQUARE FEET AND ZONED (T)(Q)C4-2D.

Applicant: RICHARD HEYMAN [Company:6417 SELMA HOTEL, LLC]

Representative: MICHAEL GONZALES [Company:MICHAEL GONZALES LAW GROUP]

View Related Cases

Permanent Link: https://planning.lacity.org/pdiscaseinfo/caseid/MjI2MjY20

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- City Departments and Bureaus
- Department of City Planning
- Zoning/Property Info (ZIMAS)

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PG 3 **Case Summary S ed to PDF 4/27/2020**

Case Summary & Documents

Case Number | Ordinance | Zoning Information | CPC Cards | ZA Cards

Case Number:

ENV-2018-7559-CE

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Approved Documents | Initial Submittal Documents

0 Approved Documents found for Case Number: ENV-2018-7559-CE

Type	Scan Date	Signed

No Approved Documents Found

Case Number: ENV-2018-7559-CE

Case Filed On: 12/19/2018

Accepted for review on:

Assigned Date: 04/09/2019

Staff Assigned: OLIVER NETBURN

Hearing Waived / Date Waived : No

Hearing Location:

Hearing Date :

ENV Action:

ENV Action Date: 12/19/2018

End of Appeal Period:

Appealed: No

BOE Reference Number: 0

Case on Hold?: No

Primary Address

Address	CNC	CD
6417 W SELMA AVE 90028	Central Hollywood	13

View All Addresses

Project Description: ZONE VARIANCES FROM Q CONDITIONS 1, 3, 4, AND 7 OF ORDINANCE NO. 180,381 TO ALLOW INCREASED GUEST ROOMS, HEIGHT, F.A.R. AND TO PROVIDE PARKING IN CONFORMITY WITH ORDINANCE 182,386

Applicant: RICHARD HEYMAN [Company: 6417 SELMA HOTEL, LLC]

Representative: ALFRED FRAIJO JR [Company: SHEPPARD MULLIN RICHTER & HAMPTON , LLP]

View Related Cases

Permanent Link: https://planning.lacity.org/pdiscaseinfo/caseid/MjI2MjY20

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- Zoning/Property Info (ZIMAS)

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CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROPOSED MITIGATED NEGATIVE DECLARATION

LEAD CITY AGENCY	**COUNCIL DISTRICT**
City of Los Angeles	13
PROJECT TITLE	**CASE NO.**
ENV-2007-3932-MND	CPC-2007-3931-ZC-HD-CUB-ZV-SPR

PROJECT LOCATION
6415, 6417, and 6419 W SELMA AVE

PROJECT DESCRIPTION
THE RENOVATION AND ADAPTIVE REUSE OF AN EXISTING 2-STORY PARKING GARAGE LOCATED AT: 6415, 6417, AND 6419 WEST SELMA AVENUE TO ACCOMMODATE A NINE-STORY HOTEL, INCLUDING RESTAURANT/BALLROOM AND BAR/LOUNGE FACILITIES, WITH A TOTAL BUILDING AREA OF APPROXIMATELY 73,318 SQUARE FEET (NOT INCLUDING PARKING). THE PROPOSED PROJECT WOULD REQUIRE A ZONE/HEIGHT DISTRICT CHANGE TO ELIMINATE THE EXISTING D" LIMITATION ON THE SITE AND ALLOW FOR A FLOOR AREA RATIO (FAR) OF 5.3:1; A CONDITIONAL USE PERMIT (CUP) FOR THE ON-SITE SALE AND CONSUMPTION OF A FULL LINE OF ALCOHOLIC BEVERAGES, DANCING, AND LIVE ENTERTAINMENT; A ZONE VARIANCE TO PERMIT 730 SQUARE-FEET OF OUTDOOR TERRACE RESTAURANT AND BAR LOUNGE ON THE SEVENTH FLOOR; A ZONE VARIANCE TO PERMIT APPROXIMATELY 3,500 SQUARE-FEET OF OUTDOOR TERRACE BAR LOUNGE ON THE EIGHTH FLOOR; AND SITE PLAN REVIEW. A HAUL ROUTE TO EXPORT AN ESTIMATED 200 CUBIC YARDS OF DIRT AND IMPORT AN ESTIMATED 120 CUBIC YARDS OF DIRT, TOTALING 320 CUBIC YARDS OF DIRT.

NAME AND ADDRESS OF APPLICANT IF OTHER THAN CITY AGENCY
6417 SELMA AVENUE, LLC
9255 DOHENY ROAD, SUITE 2705
LOS ANGELES, CA 90069

FINDING:

The City Planning Department of the City of Los Angeles has Proposed that a mitigated negative declaration be adopted for this project because the mitigation measure(s) outlined on the attached page(s) will reduce any potential significant adverse effects to a level of insignificance

(CONTINUED ON PAGE 2)

SEE ATTACHED SHEET(S) FOR ANY MITIGATION MEASURES IMPOSED.

Any written comments received during the public review period are attached together with the response of the Lead City Agency. The project decision-make may adopt the mitigated negative declariation, amend it, or require preparation of an EIR. Any changes made should be supported by substantial evidence in the record and appropriate findings made.

THE INITIAL STUDY PREPARED FOR THIS PROJECT IS ATTACHED.

NAME OF PERSON PREPARING THIS FORM	**TITLE**	**TELEPHONE NUMBER**
TINA VACHARKULSEMSUK	City Planning Assistant	(213) 978-1376

ADDRESS	**SIGNATURE (Official)**	**DATE**
200 N. SPRING STREET, 7th FLOOR LOS ANGELES, CA. 90012		04/02/2008

b4. Aesthetics (Graffiti)

- Environmental impacts may result from project implementation due to graffiti and accumulation of rubbish and debris along the wall(s) adjacent to public rights-of-way. However, this potential impact will be mitigated to a level of insignificance by the following measures:
- Every building, structure, or portion thereof, shall be maintained in a safe and sanitary condition and good repair, and free from graffiti, debris, rubbish, garbage, trash, overgrown vegetation or other similar material, pursuant to Municipal Code Section 91.8104.
- The exterior of all buildings and fences shall be free from graffiti when such graffiti is visible from a public street or alley, pursuant to Municipal Code Section 91,8104.15.

b5. Aesthetics (Signage)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a level of insignificance by the following measures:
- On-site signs shall be limited to the maximum allowable under the Code.
- Multiple temporary signs in the store windows and along the building walls are not permitted.

' 0. V d - Cultural Resources (Human Remains)

If human remains are discovered at the project site during construction, work at the specific construction site at which the remains have been uncovered shall be suspended, and the City of LA Public Works Department and County Coroner shall be immediately notified. If the remains are determined by the County Coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

' b. Cultural Resources (Archaeological)

- Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded archaeological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- If any archaeological materials are encountered during the course of the project development, the project shall be halted. The services of an archaeologist shall be secured by contacting the Center for Public Archaeology - Cal State University Fullerton, or a member of the Society of Professional Archaeologist (SOPA) or a SOPA-qualified archaeologist to assess the resources and evaluate the impact.
- Copies of the archaeological survey, study or report shall be submitted to the UCLA Archaeological Information Center.
- A covenant and agreement shall be recorded prior to obtaining a grading permit.

' c. Cultural Resources (Paleontological)

- Environmental impacts may result from project implementation due to the project's location in an area likely to yield unrecorded paleontological sites. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- If any paleontological materials are encountered during the course of the project development, the project shall be halted.
- The services of a paleontologist shall be secured by contacting the Center for Public Paleontology - USC, UCLA, Cal State Los Angeles, Cal State Long Beach, or the Los Angeles County Natural History Museum to assess the resources and evaluate the impact.
- Copies of the paleontological survey, study or report shall be submitted to the Los Angeles County Natural History Museum.
- A covenant and agreement shall be recorded prior to obtaining a grading permit.

'I aii. Seismic

- Environmental impacts may result to the safety of future occupants due to the project's location in an area of potential seismic activity. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The design and construction of the project shall conform to the Uniform Building Code seismic standards as approved by the Department of Building and Safety.
- The proposed project shall incorporate the design standards recommended in the "Geotechnical Investigation Report, Site Addition 6417 Selma Avenue, Los Angeles, CA," prepared in February 2005.

'I b. Erosion/Grading/Short-Term Construction Impacts

- Environmental impacts may result from the visual alteration of natural landforms due to grading. However, this impac will be mitigated to a level of insignificance by designing the grading plan to conform with theCity's Landform Grading Manual guidelines, subject to approval by the Advisory Agency and the Department of Building and Safety's Grading Division.
- The project shall comply with the City of Los Angeles Noise Ordinance No. 144,331 and 161,574, and any subsequent ordinances, which prohibit the emission or creation of noise beyond certain levels at adjacent uses unless technically infeasible.
- Construction and demolition shall be restricted to the hours of 7:00 am to 6:00 pm Monday through Friday, and 8:00 am to 6:00 pm on Saturday.
- Construction and demolition activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.
- The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.
- The project shall comply with the Noise Insulation Standards of Title 24 of the California Code Regulations, which insure an acceptable interior noise environment.
- Noise-generating construction activities whose specific location on the site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and natural and/or manmade barriers (e.g., intervening construction trailers) shall be used to screen propagation of noise from such activities toward these land uses to the maximum extent possible.
- Equipment warm-up areas, water tanks, and equipment storage areas shall be located a minimum of 150 feet from the multi-family residential buildings to the west and south.
- Flexible sound control curtains shall be placed around drilling apparatuses and drill rigs used within the project site, if sensitive receptors are located at, or within, 50 feet.
- The project developer shall locate construction staging areas and the operation of earthmoving equipment as far away from vibration-sensitive receptors as possible.
- The project developer shall ensure that heavily loaded trucks used during construction are routed away from residential streets, to the extent feasible.
- The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized to the extent feasible. Examples include the use of drills, jackhammers, and pile drivers.

'II b5. Explosion/Release (Asbestos Containing Materials)

- Due to the age of the building(s) being demolished, asbestos-containing materials (ACM) may be located in the structure(s). Exposure to ACM during demolition could be hazardous to the health of the demolition workers as well as area residents and employees. However, these impacts can be mitigated to a level of insignificance by the following measure:
- Prior to the issuance of any demolition permit, the applicant shall provide a letter to the Department of Building and Safety from a qualified asbestos abatement consultant that no ACM are present in the building. If ACM are found to be present, it will need to be abated in compliance with the South Coast Air Quality Management District's Rule 1403 as well as all other State and Federal rules and regulations.
- Prior to issuance of any permit for demolition or alteration of the existing structure(s), a lead-based paint survey shall be performed to the written satisfaction of the Department of Building and Safety. Should lead-based paint materials be identified, standard handling and disposal practices shall be implemented pursuant to OSHA regulations.

'III c3. Commercial & Industrial Development (Lot Size 43,560 sf)

- Environmental impacts may result from the release of toxins into the stormwater drainage channels during the routine operation of commercial development projects. However, the potential impacts will be mitigated to a level of insignificance by incorporating stormwater pollution control measures. Ordinance No. 172,176 and Ordinance No. 173,494 specify Stormwater and Urban Runoff Pollution Control which requires the application of Best Management Practices (BMPs). Chapter IX, Division 70 of the Los Angeles Municipal Code addresses grading, excavations, and fills. Applicants must meet the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) approved by Los Angeles Regional Water Quality Control Board, including the following: (A copy of the SUSMP can be downloaded at: http://www.swrcb.ca.gov/rwqcb4/).
- Project applicants are required to implement stormwater BMPs to treat and infiltrate the runoff from a storm event producing 3/4 inch of rainfall in a 24 hour period. The design of structural BMPs shall be in accordance with the Development Best Management Practices Handbook Part B Planning Activities. A signed certificate from a California licensed civil engineer or licensed architect that the proposed BMPs meet this numerical threshold standard is required.

- Any connection to the sanitary sewer must have authorization from the Bureau of Sanitation.
- Store above ground liquid storage tanks (drums and dumpsters) in areas with impervious surfaces in order to contain leaks and spills. Install a secondary containment system such as berms, dikes, liners, vaults, and double-wal tanks. Where used oil or dangerous waste is stored, a dead-end sump should be installed in the drain.
- Toxic wastes must be discarded at a licensed regulated disposal site. Store trash dumpsters both under cover and with drains routed to the sanitary sewer or use non-leaking and water-tight dumpsters with lids. Use drip pans or absorbent materials whenever grease containers are emptied. Wash containers in an area with properly connected sanitary sewer.
- Reduce and recycle wastes, including: paper; glass; aluminum; oil; and grease.
- Cleaning of vehicles and equipment to be performed within designated covered or bermed wash area paved with Portland concrete, sloped for wash water collection, and with a pretreatment facility for wash water before dischargin to properly connected sanitary sewer with a CPI type oil/water separator. The separator unit must be: designed to handle the quantity of flows; removed for cleaning on a regular basis (at least twice a year) to remove any solids; anc the oil absorbent pads must be replaced regularly, once in fall just before the wet season, and in accordance with manufacturer' specifications.
- All storm drain inlets and catch basins within the project area must be stenciled with prohibitive language (such as NO DUMPING - DRAINS TO OCEAN) and/or graphical icons to discourage illegal dumping.
- Materials with the potential to contaminate stormwater must be: (1) placed in an enclosure such as, but not limited to, a cabinet, shed, or similar stormwater conveyance system; or (2) protected by secondary containment structures such as berms, dikes, or curbs.
- The storage area must be paved and sufficiently impervious to contain leaks and spills.
- The storage area must have a roof or awning to minimize collection of stormwater within the secondary containment area.
- The owner(s) of the property will prepare and execute a covenant and agreement (Planning Department General form CP-6770) satisfactory to the Planning Department binding the owners to post construction maintenance on the structural BMPs in accordance with the Standard Urban Stormwater Mitigation Plan and or per manufacturer's instructions.
- Pavement shall not be hosed down at material spills. Dry cleanup methods shall be used whenever possible.
- All construction equipment and vehicles shall be inspected for leaks and repaired according to a regular schedule.
- All vehicle/equipment maintenance, repair, and washing shall be conducted away from storm drains. All major repairs shall be conducted off-site. Drip pans or drop clothes shall be used to catch drips and spills.
- All waste shall be disposed of properly. Appropriately labeled recycling bins shall be used to recycle construction materials including: solvents, water-based paints, vehicle fluids, broken asphalt and concrete; wood and vegetation. Non-recyclable materials/wastes shall be taken to an appropriate landfill. Toxic wastes shall be discarded at a licensed regulated disposal site.
- Leaks, drips, and spill shall be cleaned up immediately to prevent contaminated soil on paved surfaces that can be washed away into the storm drains.
- Dumpsters shall be covered and maintained. Uncovered dumpsters shall be placed under a roof or covered with tarp or plastic sheeting.
- Appropriate dust suppression techniques, such as watering or tarping, shall be used.
- Construction entrances shall be designed to facilitate removal of debris from vehicles exiting the site.

I a2. Increased Noise Levels (Parking Structure Ramps)

- Environmental impacts may result from project implementation due to noise from cars using the parking ramp. However, the potential impacts will be mitigated to a level of insignificance by the following measures:
- Concrete, not metal, shall be used for construction of parking ramps.
- The interior ramps shall be textured to prevent tire squeal at turning areas.
- Parking lots located adjacent to residential buildings shall have a solid decorative wall adjacent to the residential.

III b1. Public Services (Police General)

- Environmental impacts may result from project implementation due to the location of the project in an area having marginal police services. However, this potential impact will be mitigated to a level of insignificance by the following measure:

- The plans shall incorporate the design guidelines relative to security, semi-public and private spaces, which may include but not be limited to access control to building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of security guard patrol throughout the project site if needed. Please refer to Design Out Crime Guidelines: Crime Prevention Through Environmental Design published by the Los Angeles Police Department's Crime Prevention Section (located at Parker Center, 150 N. Los Angeles Street, Room 818, Los Angeles, (213)485-3134. These measures shall be approved by the Police Department prior to the issuance of building permits.
- Upon completion of the proposed project, the Applicant shall provide the LAPD Hollywood Area Commanding Officer with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.

XIII e. Public Services (Street Improvements Not Required By DOT)

- Environmental impacts may result from project implementation due to the deterioration of street quality from increased traffic generation. However, the potential impact will be mitigated to a level of insignificance by the following measure:
- The project shall comply with the Bureau of Engineering's requirements for street dedications and improvements that will reduce traffic impacts in direct portion to those caused by the proposed project's implementation.

XV e. Inadequate Emergency Access

- Environmental impacts may result from project implementation due to inadequate emergency access. However, these impacts can be mitigated to a level of insignificance by the following measure:
- The applicant shall submit a parking and driveway plan to the Bureau of Engineering and the Department of Transportation for approval that provides code-required emergency access.

XVII d. End

- The conditions outlined in this proposed mitigated negative declaration which are not already required by law shall be required as condition(s) of approval by the decision-making body except as noted on the face page of this document.
- Therefore, it is concluded that no significant impacts are apparent which might result from this project's implementation.

CITY OF LOS ANGELES

OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY
and CHECKLIST

(CEQA Guidelines Section 15063)

LEAD CITY AGENCY:	**COUNCIL DISTRICT:**	**DATE:**
City of Los Angeles	CD 13 - ERIC GARCETTI	02/07/2008

RESPONSIBLE AGENCIES: *Department of City Planning*

ENVIRONMENTAL CASE:	**RELATED CASES:**
ENV-2007-3932-MND	CPC-2007-3931-ZC-HD-CUB-ZV-SPR
PREVIOUS ACTIONS CASE NO.:	☐ Does have significant changes from previous actions. ✔ Does NOT have significant changes from previous actions.

PROJECT DESCRIPTION:
ON SITE FULL LINE OF ALCOHOL.

ENV PROJECT DESCRIPTION:
THE RENOVATION AND ADAPTIVE REUSE OF AN EXISTING 2-STORY PARKING GARAGE LOCATED AT: 6415, 6417, AND 6419 WEST SELMA AVENUE TO ACCOMMODATE A NINE-STORY HOTEL, INCLUDING RESTAURANT/BALLROOM AND BAR/LOUNGE FACILITIES, WITH A TOTAL BUILDING AREA OF APPROXIMATELY 73,318 SQUARE FEET (NOT INCLUDING PARKING). THE PROPOSED PROJECT WOULD REQUIRE A ZONE/HEIGHT DISTRICT CHANGE TO ELIMINATE THE EXISTING "D" LIMITATION ON THE SITE AND ALLOW FOR A FLOOR AREA RATIO (FAR) OF 5.3:1; A CONDITIONAL USE PERMIT (CUP) FOR THE ON-SITE SALE AND CONSUMPTION OF A FULL LINE OF ALCOHOLIC BEVERAGES, DANCING, AND LIVE ENTERTAINMENT; A ZONE VARIANCE TO PERMIT 730 SQUARE-FEET OF OUTDOOR TERRACE RESTAURANT AND BAR LOUNGE ON THE SEVENTH FLOOR; A ZONE VARIANCE TO PERMIT APPROXIMATELY 3,500 SQUARE-FEET OF OUTDOOR TERRACE BAR LOUNGE ON THE EIGHTH FLOOR; AND SITE PLAN REVIEW. A HAUL ROUTE TO EXPORT AN ESTIMATED 200 CUBIC YARDS OF DIRT AND IMPORT AN ESTIMATED 120 CUBIC YARDS OF DIRT, TOTALING 320 CUBIC YARDS OF DIRT.

ENVIRONMENTAL SETTINGS:
THE SITE IS RECTANGULAR, CONSISTING OF APPROXIMATELY 72, 124 SQUARE-FEET (NOT INCLUDING PARKING) OF BUILDING AREA IN THE C4-2D ZONE. ADJACENT USES CONSIST OF COMMERCIAL USES TO THE NORTH, SOUTH, WEST AND THE EAST ALL IN THE C4-2D ZONE. THE PROJECT IS LOCATED IN THE HOLLYWOOD COMMUNITY PLAN AREA AND HAS A REGIONAL CENTER COMMERCIAL LAND USE DESIGNATION. SELMA AVENUE IS A LOCAL STREET DEDICATED TO A 80-FOOT WIDTH AT THE PROJECT'S STREET FRONTAGE.

PROJECT LOCATION:
6415, 6417, and 6419 W SELMA AVE

COMMUNITY PLAN AREA: HOLLYWOOD **STATUS:** ✔ Does Conform to Plan ☐ Does NOT Conform to Plan	**AREA PLANNING COMMISSION:** CENTRAL	**CERTIFIED NEIGHBORHOOD COUNCIL:** CENTRAL HOLLYWOOD
EXISTING ZONING: C4-2D	**MAX. DENSITY/INTENSITY ALLOWED BY ZONING:** 2:1	
GENERAL PLAN LAND USE: REGIONAL CENTER COMMERCIAL	**MAX. DENSITY/INTENSITY ALLOWED BY PLAN DESIGNATION:**	**LA River Adjacent:** NO

	PROPOSED PROJECT DENSITY: 4.5:1	

)etermination (To Be Completed By Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

✔ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions on the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

	City Planning Assistant	**(213) 978-1376**
Signature	Title	Phone

Evaluation Of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less that significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of a mitigation measure has reduced an effect from "Potentially Significant Impact" to "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," cross referenced).
5. Earlier analysis must be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR, or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
   a. Earlier Analysis Used. Identify and state where they are available for review.
   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c. Mitigation Measures. For effects that are "Less Than Significant With Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated
7. Supporting Information Sources: A sources list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whichever format is selected.
9. The explanation of each issue should identify:
   a. The significance criteria or threshold, if any, used to evaluate each question; and
   b. The mitigation measure identified, if any, to reduce the impact to less than significance.

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a Potentially Significant Impact" as indicated by the checklist on the following pages.

✔ AESTHETICS	✔ HAZARDS AND HAZARDOUS MATERIALS	✔ PUBLIC SERVICES
☐ AGRICULTURAL RESOURCES	✔ HYDROLOGY AND WATER QUALITY	☐ RECREATION
☐ AIR QUALITY	☐ LAND USE AND PLANNING	✔ TRANSPORTATION/CIRCULATION
☐ BIOLOGICAL RESOURCES	☐ MINERAL RESOURCES	☐ UTILITIES
✔ CULTURAL RESOURCES	✔ NOISE	☐ MANDATORY FINDINGS OF SIGNIFICANCE
✔ GEOLOGY AND SOILS	☐ POPULATION AND HOUSING	

NITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

Background

PROPONENT NAME:
5417 SELMA AVENUE, LLC

PHONE NUMBER:
(213) 417-4400

APPLICANT ADDRESS:
9255 DOHENY ROAD, SUITE 2705
LOS ANGELES, CA 90069

AGENCY REQUIRING CHECKLIST:
Department of City Planning

DATE SUBMITTED:
01/17/2008

PROPOSAL NAME (if Applicable):

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	Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
. AESTHETICS				
ı. HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?			✓	
). SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS, OR OTHER LOCALLY RECOGNIZED DESIRABLE AESTHETIC NATURAL FEATURE WITHIN A CITY-DESIGNATED SCENIC HIGHWAY?				✓
:. SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF THE SITE AND ITS SURROUNDINGS?		✓		
ł. CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?			✓	
I. AGRICULTURAL RESOURCES				
ı. CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE, AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?				✓
). CONFLICT THE EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?				✓
:. INVOLVE OTHER CHANGES IN THE EXISTING ENVIRONMENT WHICH, DUE TO THEIR LOCATION OR NATURE, COULD RESULT IN CONVERSION OF FARMLAND, TO NON-AGRICULTURAL USE?				✓
II. AIR QUALITY				
ı. CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE SCAQMD OR CONGESTION MANAGEMENT PLAN?			✓	
). VIOLATE ANY AIR QUALITY STANDARD OR CONTRIBUTE SUBSTANTIALLY TO AN EXISTING OR PROJECTED AIR QUALITY VIOLATION?			✓	
:. RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE AIR BASIN IS NON-ATTAINMENT (OZONE, CARBON MONOXIDE, & PM 10) UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD?			✓	
ł. EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?			✓	
). CREATE OBJECTIONABLE ODORS AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?				✓
V. BIOLOGICAL RESOURCES				
ı. HAVE A SUBSTANTIAL ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATION, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES IN LOCAL OR REGIONAL PLANS, POLICIES, OR REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?				✓
). HAVE A SUBSTANTIAL ADVERSE EFFECT ON ANY RIPARIAN HABITAT OR OTHER SENSITIVE NATURAL COMMUNITY IDENTIFIED IN THE CITY OR REGIONAL PLANS, POLICIES, REGULATIONS BY THE CALIFORNIA DEPARTMENT OF FISH AND GAME OR U.S. FISH AND WILDLIFE SERVICE ?				✓
:. HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?				✓
ł. INTERFERE SUBSTANTIALLY WITH THE MOVEMENT OF ANY NATIVE RESIDENT OR MIGRATORY FISH OR WILDLIFE SPECIES OR WITH ESTABLISHED NATIVE RESIDENT OR MIGRATORY WILDLIFE CORRIDORS, OR IMPEDE THE USE OF NATIVE WILDLIFE NURSERY SITES?				✓

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
).	CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS TREE PRESERVATION POLICY OR ORDINANCE (E.G., OAK TREES OR CALIFORNIA WALNUT WOODLANDS)?				✓
f.	CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?				✓
/. CULTURAL RESOURCES					
ı.	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN STATE CEQA 15064.5?			✓	
).	CAUSE A SUBSTANTIAL ADVERSE CHANGE IN SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO STATE CEQA 15064.5?		✓		
:.	DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?		✓		
ł.	DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?		✓		
/I. GEOLOGY AND SOILS					
ı.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.		✓		
).	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : STRONG SEISMIC GROUND SHAKING?		✓		
:.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?			✓	
ł.	EXPOSURE OF PEOPLE OR STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY OR DEATH INVOLVING : LANDSLIDES?				✓
:.	RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?				✓
f.	BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF THE PROJECT, AND POTENTIAL RESULT IN ON- OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION, OR COLLAPSE?		✓		
).	BE LOCATED ON EXPANSIVE SOIL, AS DEFINED IN TABLE 18-1-B OF THE UNIFORM BUILDING CODE (1994), CREATING SUBSTANTIAL RISKS TO LIFE OR PROPERTY?		✓		
ı.	HAVE SOILS INCAPABLE OF ADEQUATELY SUPPORTING THE USE OF SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS WHERE SEWERS ARE NOT AVAILABLE FOR THE DISPOSAL OF WASTE WATER?				✓
/II. HAZARDS AND HAZARDOUS MATERIALS					
ı.	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?			✓	
).	CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?		✓		

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		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
:.	EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?			✓	
d.	BE LOCATED ON A SITE WHICH IS INCLUDED ON A LIST OF HAZARDOUS MATERIALS SITES COMPILED PURSUANT TO GOVERNMENT CODE SECTION 65962.5 AND, AS A RESULT, WOULD IT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT?			✓	
e.	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR THE PEOPLE RESIDING OR WORKING IN THE AREA?				✓
g.	IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?			✓	
h.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING WILDLAND FIRES, INCLUDING WHERE WILDLANDS ARE ADJACENT TO URBANIZED AREAS OR WHERE RESIDENCES ARE INTERMIXED WITH WILDLANDS?				✓
VIII.	**HYDROLOGY AND WATER QUALITY**				
a.	VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS?		✓		
b.	SUBSTANTIALLY DEPLETE GROUNDWATER SUPPLIES OR INTERFERE WITH GROUNDWATER RECHARGE SUCH THAT THERE WOULD BE A NET DEFICIT IN AQUIFER VOLUME OR A LOWERING OF THE LOCAL GROUNDWATER TABLE LEVEL (E.G., THE PRODUCTION RATE OF PRE-EXISTING NEARBY WELLS WOULD DROP TO A LEVEL WHICH WOULD NOT SUPPORT EXISTING LAND USES OR PLANNED LAND USES FOR WHICH PERMITS HAVE BEEN GRANTED)?				✓
c.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, IN A MANNER WHICH WOULD RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?				✓
d.	SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER, OR SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN AN MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF SITE?				✓
e.	CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?			✓	
f.	OTHERWISE SUBSTANTIALLY DEGRADE WATER QUALITY?				✓
g.	PLACE HOUSING WITHIN A 100-YEAR FLOOD PLAIN AS MAPPED ON FEDERAL FLOOD HAZARD BOUNDARY OR FLOOD INSURANCE RATE MAP OR OTHER FLOOD HAZARD DELINEATION MAP?				✓
h.	PLACE WITHIN A 100-YEAR FLOOD PLAIN STRUCTURES WHICH WOULD IMPEDE OR REDIRECT FLOOD FLOWS?				✓
i.	EXPOSE PEOPLE OR STRUCTURES TO A SIGNIFICANT RISK OF LOSS, INJURY OR DEATH INVOLVING FLOODING, INCLUDING FLOODING AS A RESULT OF THE FAILURE OF A LEVEE OR DAM?			✓	
j.	INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW?			✓	
X.	**LAND USE AND PLANNING**				
a.	PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?				✓

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
).	CONFLICT WITH APPLICABLE LAND USE PLAN, POLICY OR REGULATION OF AN AGENCY WITH JURISDICTION OVER THE PROJECT (INCLUDING BUT NOT LIMITED TO THE GENERAL PLAN, SPECIFIC PLAN, COASTAL PROGRAM, OR ZONING ORDINANCE) ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?			✓	
:.	CONFLICT WITH ANY APPLICABLE HABITAT CONSERVATION PLAN OR NATURAL COMMUNITY CONSERVATION PLAN?				✓
(. MINERAL RESOURCES					
ı.	RESULT IN THE LOSS OF AVAILABILITY OF A KNOWN MINERAL RESOURCE THAT WOULD BE OF VALUE TO THE REGION AND THE RESIDENTS OF THE STATE?				✓
).	RESULT IN THE LOSS OF AVAILABILITY OF A LOCALLY-IMPORTANT MINERAL RESOURCE RECOVERY SITE DELINEATED ON A LOCAL GENERAL PLAN, SPECIFIC PLAN, OR OTHER LAND USE PLAN?				✓
(I. NOISE					
ı.	EXPOSURE OF PERSONS TO OR GENERATION OF NOISE IN LEVEL IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?		✓		
).	EXPOSURE OF PEOPLE TO OR GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?		✓		
:.	A SUBSTANTIAL PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?			✓	
ı.	A SUBSTANTIAL TEMPORARY OR PERIODIC INCREASE IN AMBIENT NOISE LEVELS IN THE PROJECT VICINITY ABOVE LEVELS EXISTING WITHOUT THE PROJECT?		✓		
).	FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
f.	FOR A PROJECT WITHIN THE VICINITY OF A PRIVATE AIRSTRIP, WOULD THE PROJECT EXPOSE PEOPLE RESIDING OR WORKING IN THE PROJECT AREA TO EXCESSIVE NOISE LEVELS?				✓
(II. POPULATION AND HOUSING					
ı.	INDUCE SUBSTANTIAL POPULATION GROWTH IN AN AREA EITHER DIRECTLY (FOR EXAMPLE, BY PROPOSING NEW HOMES AND BUSINESSES) OR INDIRECTLY (FOR EXAMPLE, THROUGH EXTENSION OF ROADS OR OTHER INFRASTRUCTURE)?			✓	
).	DISPLACE SUBSTANTIAL NUMBERS OF EXISTING HOUSING NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
:.	DISPLACE SUBSTANTIAL NUMBERS OF PEOPLE NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?				✓
(III. PUBLIC SERVICES					
ı.	FIRE PROTECTION?			✓	
).	POLICE PROTECTION?		✓		
:.	SCHOOLS?			✓	
ı.	PARKS?				✓
).	OTHER GOVERNMENTAL SERVICES (INCLUDING ROADS)?		✓		
(IV. RECREATION					

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
ı.	WOULD THE PROJECT INCREASE THE USE OF EXISTING NEIGHBORHOOD AND REGIONAL PARKS OR OTHER RECREATIONAL FACILITIES SUCH THAT SUBSTANTIAL PHYSICAL DETERIORATION OF THE FACILITY WOULD OCCUR OR BE ACCELERATED?				✓
).	DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?				✓
(V. TRANSPORTATION/CIRCULATION					
ı.	CAUSE AN INCREASE IN TRAFFIC WHICH IS SUBSTANTIAL IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM (I.E., RESULT IN A SUBSTANTIAL INCREASE IN EITHER THE NUMBER OF VEHICLE TRIPS, THE VOLUME TO RATIO CAPACITY ON ROADS, OR CONGESTION AT INTERSECTIONS)?			✓	
).	EXCEED, EITHER INDIVIDUALLY OR CUMULATIVELY, A LEVEL OF SERVICE STANDARD ESTABLISHED BY THE COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGNATED ROADS OR HIGHWAYS?				✓
:.	RESULT IN A CHANGE IN AIR TRAFFIC PATTERNS, INCLUDING EITHER AN INCREASE IN TRAFFIC LEVELS OR A CHANGE IN LOCATION THAT RESULTS IN SUBSTANTIAL SAFETY RISKS?				✓
ł.	SUBSTANTIALLY INCREASE HAZARDS TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?			✓	
:.	RESULT IN INADEQUATE EMERGENCY ACCESS?		✓		
f.	RESULT IN INADEQUATE PARKING CAPACITY?			✓	
j.	CONFLICT WITH ADOPTED POLICIES, PLANS, OR PROGRAMS SUPPORTING ALTERNATIVE TRANSPORTATION (E.G., BUS TURNOUTS, BICYCLE RACKS)?			✓	
(VI. UTILITIES					
ı.	EXCEED WASTEWATER TREATMENT REQUIREMENTS OF THE APPLICABLE REGIONAL WATER QUALITY CONTROL BOARD?				✓
).	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?			✓	
:.	REQUIRE OR RESULT IN THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES OR EXPANSION OF EXISTING FACILITIES, THE CONSTRUCTION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?				✓
ł.	HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT FROM EXISTING ENTITLEMENTS AND RESOURCE, OR ARE NEW OR EXPANDED ENTITLEMENTS NEEDED?			✓	
:.	RESULT IN A DETERMINATION BY THE WASTEWATER TREATMENT PROVIDER WHICH SERVES OR MAY SERVE THE PROJECT THAT IT HAS ADEQUATE CAPACITY TO SERVE THE PROJECTS PROJECTED DEMAND IN ADDITION TO THE PROVIDERS			✓	
f.	BE SERVED BY A LANDFILL WITH SUFFICIENT PERMITTED CAPACITY TO ACCOMMODATE THE PROJECTS SOLID WASTE DISPOSAL NEEDS?			✓	
j.	COMPLY WITH FEDERAL, STATE, AND LOCAL STATUTES AND REGULATIONS RELATED TO SOLID WASTE?				✓
(VII. MANDATORY FINDINGS OF SIGNIFICANCE					
ı.	DOES THE PROJECT HAVE THE POTENTIAL TO DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL OR ELIMINATE IMPORTANT EXAMPLES OF THE			✓	

		Potentially significant impact	Potentially significant unless mitigation incorporated	Less than significant impact	No impact
	MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?				
).	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (CUMULATIVELY CONSIDERABLE MEANS THAT THE INCREMENTAL EFFECTS OF AN INDIVIDUAL PROJECT ARE CONSIDERABLE WHEN VIEWED IN CONNECTION WITH THE EFFECTS OF PAST PROJECTS, THE EFFECTS OF OTHER CURRENT PROJECTS, AND THE EFFECTS OF PROBABLE FUTURE PROJECTS).			✓	
:.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?			✓	

)ISCUSSION OF THE ENVIRONMENTAL EVALUATION (Attach additional sheets if necessary)

The Environmental Impact Assessment includes the use of official City of Los Angeles and other government source reference ıaterials related to various environmental impact categories (e.g., Hydrology, Air Quality, Biology, Cultural Resources, etc.). The State f California, Department of Conservation, Division of Mines and Geology - Seismic Hazard Maps and reports, are used to identify otential future significant seismic events; including probable magnitudes, liquefaction, and landslide hazards. Based on applicant ıformation provided in the Master Land Use Application and Environmental Assessment Form, impact evaluations were based on tated facts contained therein, including but not limited to, reference materials indicated above, field investigation of the project site, nd any other reliable reference materials known at the time.

Project specific impacts were evaluated based on all relevant facts indicated in the Environmental Assessment Form and expressed ırough the applicant's project description and supportive materials. Both the Initial Study Checklist and Checklist Explanations, in onjunction with the City of Los Angeles's Adopted Thresholds Guide and CEQA Guidelines, were used to reach reasonable onclusions on environmental impacts as mandated under the California Environmental Quality Act (CEQA).

The project as identified in the project description may cause potentially significant impacts on the environment without mitigation. 'herefore, this environmental analysis concludes that a Mitigated Negative Declaration shall be issued to avoid and mitigate all otential adverse impacts on the environment by the imposition of mitigation measures and/or conditions contained and expressed in ıis document; the environmental case file known as **ENV-2007-3932-MND** and the associated case(s), **CPC-2007-3931-ZC-HD-CUE :PC-2007-3931-ZC-HD-CUB-ZV-SPR** . Finally, based on the fact that these impacts can be feasibly mitigated to less than significant, nd based on the findings and thresholds for Mandatory Findings of Significance as described in the California Environmental Quality ıct, section 15065, the overall project impact(s) on the environment (after mitigation) **will not:**

- Substantially degrade environmental quality.
- Substantially reduce fish or wildlife habitat.
- Cause a fish or wildlife habitat to drop below self sustaining levels.
- Threaten to eliminate a plant or animal community.
- Reduce number, or restrict range of a rare, threatened, or endangered species.
- Eliminate important examples of major periods of California history or prehistory.
- Achieve short-term goals to the disadvantage of long-term goals.
- Result in environmental effects that are individually limited but cumulatively considerable.
- Result in environmental effects that will cause substantial adverse effects on human beings.

ıDDITIONAL INFORMATION:

ıll supporting documents and references are contained in the Environmental Case File referenced above and may be viewed in the :IR Unit, Room 763, City Hall.

'or City information, addresses and phone numbers: visit the City's website at http://www.lacity.org ; City Planning - and Zoning ıformation Mapping Automated System (ZIMAS) cityplanning.lacity.org/ or EIR Unit, City Hall, 200 N Spring Street, Room 763. ;eismic Hazard Maps - http://gmw.consrv.ca.gov/shmp/
:ngineering/Infrastructure/Topographic Maps/Parcel Information - http://boemaps.eng.ci.la.ca.us/index01.htm or ;ity's main website under the heading "Navigate LA".

'REPARED BY:	TITLE:	TELEPHONE NO.:	DATE:
'INA VACHARKULSEMSUK	City Planning Assistant	(213) 978-1376	03/28/2008

	Impact?	Explanation	Mitigation Measures

APPENDIX A: ENVIRONMENTAL IMPACTS EXPLANATION TABLE

. AESTHETICS

a.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT AREA IS CHARACTERIZED BY LOW-RISE COMMERCIAL DEVELOPMENT AND RELATIVELY FLAT TOPOGRAPHY. THE CONSTRUCTION OF THE PROPOSED PROJECT WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	THE PROJECT SITE DOES NOT CONTAIN ANY SCENIC RESOURCES OR ANY LOCALLY-RECOGNIZED DESIRABLE FEATURES WITHIN A SCENIC HIGHWAY. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE URBANIZED NATURE OF THE AREA SUPPORTS THE POTENTIAL FOR GRAFFITI, LITTER, AND DEBRIS TO ACCUMULATE AND THE PROJECT AREA CONTAINS SUBSTANTIAL SIGNAGE AND IS NOT LOCATED WITHIN THE HOLLYWOOD SUPPLEMENTAL SIGNAGE DISTRICT. AFTER IMPLEMENTATION OF THE MITIGATION MEASURES, THE IMPACT WILL BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**I b4, I b5**
d.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WOULD INCREASE ACTIVITIES AT THE PROJECT SITE AND ASSOCIATED LEVELS OF NIGHTTIME LIGHTING. HOWEVER, THE INCREASE IN LIGHTING WOULD NOT BE CONSIDERED SUBSTANTIAL IN COMPARISON TO THE SURROUNDING RETAIL, ENTERTAINMENT, AND COMMERCIAL USES. THE IMPACTS WILL BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

I. AGRICULTURAL RESOURCES

	Impact?	Explanation	Mitigation Measures
a.	NO IMPACT	THE SITE IS ZONED FOR REGIONAL CENTER COMMERCIAL AND DOES NOT CONTAIN FARMLAND OF ANY TYPE. NO IMPACT WILL RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	THE SITE IS ZONED FOR REGIONAL CENTER COMMERCIAL AND DOES NOT CONTAIN FARMLAND OF ANY TYPE. NO IMPACT WILL RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	THE PROJECT WILL NOT RESULT IN CONVERSION OF FARMLAND TO NON-AGRICULTURAL USE. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
II. AIR QUALITY			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WILL NOT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF EITHER PLAN. REFER TO THE AIR QUALITY ANALYSIS IN THE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT-RELATED CONSTRUCTION ACTIVITIES WOULD NOT INCLUDE DEMOLITION OR GRADING, SINCE THE PROPOSED PROJECT WOULD REUSE THE EXISTING ON-SITE STRUCTURE. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT-RELATED CONSTRUCTION ACTIVITIES WOULD NOT INCLUDE DEMOLITION OR GRADING, SINCE THE PROPOSED PROJECT WOULD REUSE THE EXISTING ON-SITE STRUCTURE. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT AREA IS DENSELY URBANIZED WITH RESIDENTIAL, COMMERCIAL, HOTEL, RESTAURANT, AND PARKING LAND USES LOCATED ALONG THE LOCAL ROADWAYS WITHIN THE IMMEDIATE AREA. THE LOCALIZED CONSTRUCTION IMPACTS WOULD BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY	

	Impact?	Explanation	Mitigation Measures
		CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	NO IMPACT	NO OBJECTIONABLE ODORS ARE ANTICIPATED TO RESULT FROM THIS PROJECT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
V. BIOLOGICAL RESOURCES			
a.	NO IMPACT	NO SENSITIVE SPECIES ARE EXPECTED TO BE LOCATED ON THE SITE. NO IMPACT WILL RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	THE SITE DOES NOT CONTAIN RIPARIAN HABITAT OR SENSITIVE NATURAL COMMUNITIES. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	THE SITE DOES NOT CONTAIN WETLANDS. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	NO IMPACT	THE PROJECT SITE DOES NOT CONTAIN WILDLIFE CORRIDORS OR NURSERY SITES. NO IMPACT WILL RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	NO IMPACT	THE SITE DOES NOT SUPPORT ANY SENSITIVE BIOLOGICAL RESOURCES OR PROTECTED TREES. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
f.	NO IMPACT	THE PROPOSED PROJECT WILL NOT CONFLICT WITH ANY HABITAT CONSERVATION PLANS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
/. CULTURAL RESOURCES			
a.	LESS THAN SIGNIFICANT IMPACT	THE SUBJECT BUILDING ON THE PROJECT SITE INCLUDES THE TRADEMARK FEATURE OF UTILITARIAN INDUSTRIAL ARCHITECTURE IN THE LARGE STEEL-SASH CASEMENT WINDOWS. HOWEVER, THE BUILDING WOULD NOT BE CONSIDERED A HISTORIC RESOURCE SUBJECT TO CEQA, THERFORE, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY	

	Impact?	Explanation	Mitigation Measures
		CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT WOULD INVOLVE EXCAVATION OF A PERIMETER TRENCH THREE FEET DEEP OVER AN AREA OF 1,725 SQUARE-FEET. EXCAVATION ACTIVITIES WOULD NOT BE ANTICIPATED TO DISTURB ANY PREVIOUSLY UNKNOWN ARCHAEOLOGICAL RESOURCES. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**V b**
c.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT WOULD INVOLVE EXCAVATION OF A PERIMETER TRENCH THREE FEET DEEP OVER AN AREA OF 1,725 SQUARE-FEET. EXCAVATION ACTIVITIES WOULD NOT BE ANTICIPATED TO DISTURB ANY PREVIOUSLY UNKNOWN PALEONTOLOGICAL RESOURCES. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**V c**
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT WOULD INVOLVE EXCAVATION OF A PERIMETER TRENCH THREE FEET DEEP OVER AN AREA OF 1,725 SQUARE-FEET. EXCAVATION ACTIVITIES WOULD NOT BE ANTICIPATED TO DISTURB ANY PREVIOUSLY UNKNOWN HUMAN REMAINS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**V 0**
/I. GEOLOGY AND SOILS			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT SITE IS LOCATED WITHIN A FAULT RUPTURE AREA AND IS LOCATED LESS THAN ONE KILOMETER FROM AN ACTIVE FAULT. HOWEVER, INCORPORATION OF MITIGATION MEASURES WILL REDUCE THE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**VI aii**
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE SUBJECT PROPERTY IS SUBJECT TO STRONG SEISMIC SHAKING. HOWEVER, THIS IMPACT WILL BE REDUCED TO A LESS THAN SIGNIFICANT LEVEL BY FOLLOWING THE UNIFORM BUILDING CODE STANDARDS DURING CONSTRUCTION. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**VI aii, VI b**

	Impact?	Explanation	Mitigation Measures
c.	LESS THAN SIGNIFICANT IMPACT	THE SITE IS NOT LOCATED IN AN AREA THAT IS SUSCEPTIBLE TO LIQUEFACTION. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	NO IMPACT	THE PROJECT SITE DOES NOT CONTAIN EXPANSIVE SOILS. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	NO IMPACT	THE PROPOSED PROJECT WOULD NOT CHANGE THE AMOUNT OF PERMEABLE SURFACE AREA ON THE PROJECT SITE AND THE AMOUNT OF STORMWATER ENTERING THE CITY'S STORMDRAINS WOULD BE UNCHANGED. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
f.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROPOSED PROJECT INVOLVES THE RENOVATION AND ADDITION TO AN EXISTING STRUCTURE AND IS NOT ANTICIPATED TO INTRODUCE THE POTENTIAL FOR ON- OR OFF-SITE IMPACTS RELATED TO UNSTABLE SOILS. THE INCORPORATION OF MITIGATION MEASURES WOULD RESULT IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**SEE MITIGATION MEASURE VI aii**
g.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE SOILS ON THE SITE ARE PRIMARILY SAND WITH A VERY LOW EXPANSION. INCORPORATION OF MITIGATION MEASURES WOULD REDUCE THE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**SEE MITIGATION MEASURE VI aii**
h.	NO IMPACT	NO SEPTIC TANKS ARE PROPOSED AS PART OF THIS PROJECT. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
/II. HAZARDS AND HAZARDOUS MATERIALS			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WOULD INVOLVE THE USE OF MINIMAL AMOUNTS OF HAZARDOUS MATERIALS FOR ROUTINE CLEANING TYPICAL OF HOTEL, BAR/LOUNGE, AND RESTAURANT USES.	

	Impact?	Explanation	Mitigation Measures
		THEREFORE, IMPACTS ASSOCIATED WITH THIS ISSUE WOULD BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE BUILDING LOCATED ON THE SITE MAY CONTAIN ASBESTOS CONTAINING MATERIALS (ACM). AN ACM SURVEY AND REMOVAL OF ANY ACM MUST BE COMPLETED PRIOR TO THE ISSUANCE OF THE DEMOLITION PERMIT TO MITIGATE THE IMPACT TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**VII b5**
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT IS LOCATED WITHIN 0.25 MILES OF TWO EXISTING PUBLIC AND PRIVATE SCHOOLS AND ONE AFTER SCHOOL PROGRAM AND WOULD USE, AT MOST, MINIMAL AMOUNTS OF HAZARDOUS MATERIALS FOR ROUTINE CLEANING AND MAINTENANCE, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	LESS THAN SIGNIFICANT IMPACT	THE SITE IS NOT LOCATED ON A HAZARDOUS-MATERIALS LIST, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	NO IMPACT	THE SITE IS NOT LOCATED WITHIN AN AIRPORT LAND USE PLAN. THE PROPOSED RESIDENTIAL PROJECT WOULD NOT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE AREA. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
f.	NO IMPACT	THE SITE IS NOT LOCATED NEAR A PRIVATE AIRSTRIP. THE PROPOSED RESIDENTIAL PROJECT WOULD NOT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE AREA. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
g.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WOULD NOT INTERFERE WITH ANY EMERGENCY RESPONSE OR EVACUATION PLANS. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND	

	Impact?	Explanation	Mitigation Measures
		ASSOCIATES.	
h.	NO IMPACT	THE PROJECT SITE IS NOT LOCATED IN AN AREA OF WILDLAND FIRES. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
/III. HYDROLOGY AND WATER QUALITY			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT MAY DISCHARGE WATER THAT DOES NOT MEET THE QUALITY STANDARDS OF AGENCIES WHICH REGULATE SURFACE WATER QUALITY AND WATER DISCHARGE INTO STORM WATER DRAINAGE SYSTEMS. HOWEVER, MITIGATION MEASURES WILL REDUCE THE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**VIII c3**
b.	NO IMPACT	THE PROPOSED PROJECT SHOULD NOT CAUSE THE DEPLETION OF GROUNDWATER SUPPLIES OR THE INTERFERENCE OF GROUNDWATER RECHARGE. THE PROJECT WILL CONTINUE TO BE SUPPLIED WITH WATER BY THE LA DWP. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	THE PROJECT SITE DOES NOT CONTAIN A STREAM OR RIVER. THE SITE CURRENTLY DRAINS INTO THE SEWER AS WILL THE PROPOSED PROJECT. NO IMPACT WILL RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	NO IMPACT	THE PROPOSED PROJECT WOULD NOT CHANGE THE AMOUNT OF PERMEABLE SURFACE AREA ON THE PROJECT SITE AND THE AMOUNT OF STORMWATER ENTERING THE CITY'S STORM DRAINS WOULD BE UNCHANGED. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WILL NOT RESULT IN A SIGNIFICANT CHANGE IN THE DRAINAGE OF THE SITE. THE IMPACT IS CONSIDERED LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

	Impact?	Explanation	Mitigation Measures
f.	NO IMPACT	THE PROPOSED PROJECT IS NOT ANTICIPATED TO SUBSTANTIALLY DEGRADE WATER QUALITY. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
g.	NO IMPACT	THE PROJECT IS NOT LOCATED IN A FLOOD ZONE. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
h.	NO IMPACT	THE PROJECT IS NOT LOCATED IN A FLOOD ZONE. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
i.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT IS NOT LOCATED IN A POTENTIAL DAM INUNDATION ZONE AND THE POTENTIAL FOR FLOODING WOULD NOT BE ANY HIGHER AT THE PROJECT SITE THAN IN ANY OTHER PART OF THE LOS ANGELES BASIN. THE IMPACTS WOULD BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
j.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT SITE IS LOCATED APPROXIMATELY 11 MILES FROM THE PACIFIC OCEAN AND IS NOT IN THE VICINITY OF ANY MAJOR WATER BODIES, RESULTING IN LESS THAN SIGNIFICANT IMPACTS ASSOCIATED WITH INUNDATION BY SEICHES, TSUNAMIS, OR MUDFLOW. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
X. LAND USE AND PLANNING			
a.	NO IMPACT	THE PROPOSED PROJECT IS SURROUNDED BY COMMERCIAL USES AND WOULD NOT RESULT IN PHYSICALLY DIVIDING AN ESTABLISHED COMMUNITY. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT IS CONSISTENT WITH THE REGIONAL CENTER COMMERCIAL LAND USE DESIGNATION. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

	Impact?	Explanation	Mitigation Measures
c.	NO IMPACT	THE PROPOSED PROJECT WILL NOT CONFLICT WITH ANY APPLICABLE CONSERVATION OR NATURAL COMMUNITY CONSERVATION PLANS DUE TO ITS LOCATION IN A DEVELOPED, URBAN AREA. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(. MINERAL RESOURCES			
a.	NO IMPACT	THE SITE IS NOT LOCATED IN A KNOWN AREA OF MINERAL RESOURCES. NO IMPACT IS EXPECTED TO RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	THE SITE IS NOT LOCATED IN A KNOWN AREA OF MINERAL RESOURCES. NO IMPACT IS EXPECTED TO RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(I. NOISE			
a.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**DURING CONSTRUCTION OF THE PROJECT, THE APPLICANT WILL BE REQUIRED TO COMPLY WITH THE CITY'S NOISE ORDINANCE AND THE ATTACHED CONSTRUCTION NOISE MITIGATION MEASURES TO REDUCE THE IMPACT TO A LESS THAN SIGNIFICANT LEVEL. REFER TO THE NOISE ANALYSIS PROVIDED IN THE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**SEE MITIGATION MEASURE VI B2**
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**DURING CONSTRUCTION OF THE PROJECT, A SIGNIFICANT IMPACT MAY OCCUR IF THE PROJECT WERE TO GENERATE EXCESSIVE VIBRATION DURING CONSTRUCTION OUTSIDE OF CONSTRUCTION HOURS PERMITTED BY SECTION 41.40 OF THE LAMC. REFER TO THE NOISE ANALYSIS PROVIDED IN THE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**SEE MITIGATION MEASURE VI B2**
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT IS ANTICIPATED TO RESULT IN A LESS THAN SIGNIFICANT INCREASE IN THE AMBIENT NOISE LEVELS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

	Impact?	Explanation	Mitigation Measures
d.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PARKING RAMPS WILL NEED TO BE CONSTRUCTED FROM CONCRETE TO REDUCE THE NOISE IMPACT TO A LESS THAN SIGNIFICANT LEVEL. IMPLEMENTATION OF THE ATTACHED CONSTRUCTION NOISE MITIGATION MEASURES WOULD REDUCE THE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**XI a2 SEE MITIGATION MEASURE VI B2**
e.	NO IMPACT	THE PROJECT IS NOT LOCATED WITHIN AN AIRPORT LAND USE PLAN. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
f.	NO IMPACT	THE PROJECT IS NOT LOCATED IN THE VICINITY OF A PRIVATE AIRSTRIP. NO IMPACT WOULD RESULT.SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(II. POPULATION AND HOUSING			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT SHOULD NOT INTRODUCE SUBSTANTIAL POPULATION GROWTH, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	NO NET HOUSING WILL BE DISPLACED AS A RESULT OF THIS PROJECT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	THE PROJECT SITE DOES NOT CONTAIN ANY RESIDENTS. THEREFORE, IMPLEMENTATION OF THE PROPOSED PROJECT WOULD NOT REQUIRE CONSTRUCTION OF REPLACEMENT HOUSING AND NO IMPACT WOULD OCCUR. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(III. PUBLIC SERVICES			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WOULD BE LOCATED WITHIN THE REQUIRED RESPONSE DISTANCE FOR COMMERCIAL LAND USES AND WOULD COMPLY WITH ALL HYDRANT AND FIRE FLOW REQUIREMENTS SET BY THE LAFD DURING SITE PLAN REVIEW. THE IMPACTS WOULD BE	

	Impact?	Explanation	Mitigation Measures
		LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**THE PROJECT IS LOCATED IN AN AREA WITH MARGINAL POLICE SERVICES. INCORPORATION OF MITIGATION MEASURES WOULD REDUCE THE IMPACT TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**XIII b1**
c.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT IS LOCATED IN AN AREA THAT IS CURRENTLY SERVED BY THREE LAUSD PUBLIC SCHOOLS AS WELL AS SEVERAL PRIVATE SCHOOLS AND AFTER SCHOOL PROGRAMS, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	NO IMPACT	THE PROJECT IS NOT ANTICIPATED TO INCREASE THE DEMAND FOR PARKS AND RECREATIONAL FACILITIES IN THE VICINITY. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**STREET DEDICATIONS MAY BE REQUIRED ON SELMA AVENUE IN COMPLIANCE WITH LOCAL STREET STANDARDS. AFTER MITIGATION, THE IMPACT WILL BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**XIII e**
(IV. RECREATION			
a.	NO IMPACT	THE PROPOSED PROJECT WOULD NOT INTRODUCE A SIGNIFICANT NUMBER OF PERMANENT RESIDENTS TO THE PROJECT AREA AND WOULD NOT BE ANTICIPATED TO INCREASE THE USE OR DETERIORATION OF PARKS AND RECREATIONAL FACILITIES IN THE VICINITY. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

	Impact?	Explanation	Mitigation Measures
b.	NO IMPACT	THE PROPOSED PROJECT DOES NOT INCLUDE ANY PARK OR RECREATIONAL FACILITY COMPONENT AND WILL NOT RESULT IN THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(V. TRANSPORTATION/CIRCULATION			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WILL NOT RESULT IN A SUSTANTIAL INCREASE IN TRAFFIC IN RELATION TO THE EXISTING TRAFFIC LOAD AND CAPACITY OF THE STREET SYSTEM. THIS SHOULD RESULT IN A LESS THAN SIGNIFICANT IMPACT ON SELMA AVENUE. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	NO IMPACT	THE PROPOSED PROJECT WILL NOT RESULT IN A SUBSTANTIAL INCREASE IN THE LEVEL OF SERVICE ON THE LOCAL STREETS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	NO CHANGE IN AIR TRAFFIC PATTERNS WILL RESULT FROM THE PROPOSED RESIDENTIAL PROJECT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WILL PROVIDE ACCESS ON AN EXISTING DRIVEWAY ON SELMA AVENUE. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	**BOTH LADOT AND LAFD WILL REVIEW THE PROJECT'S EMERGENCY ACCESS TO ENSURE THAT POTENTIAL IMPACTS ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.**	**XV e**
f.	LESS THAN SIGNIFICANT IMPACT	THE PARKING PROVIDED FOR THE PROJECT COMPLIES WITH THE REQUIREMENTS OF THE LOS ANGELES MUNICIPAL CODE (LAMC) AND THE HOLLYWOOD REDEVELOPMENT PROJECT AREA, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER	

	Impact?	Explanation	Mitigation Measures
		A. JOSEPH AND ASSOCIATES.	
g.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WILL NOT CONFLICT WITH ANY ALTERNATIVE TRANSPORTATION POLICIES AND IS NOT ANTICIPATED TO INVOLVE ANY LANE CLOSURES OR OTHERWISE IMPACT PUBLIC TRANSIT SERVICE, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(VI. UTILITIES			
a.	NO IMPACT	THE PROJECT SHOULD NOT EXCEED THE WASTEWATER TREATMENT REQUIREMENTS OF THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WILL NOT REQUIRE THE CONSTRUCTION OF NEW WATER OR WASTEWATER TREATMENT FACILITIES OR THE EXPANSION OF EXISTING FACILITIES AND WOULD UTILIZE WATER CONSERVATION MEASURES RECOMMENDED BY THE LADWP. IMPLEMENTATION OF THESE MEASURES WOULD REDUCE IMPACTS TO A LESS THAN SIGNIFICANT LEVEL. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	NO IMPACT	THE PROJECT SHOULD NOT REQUIRE THE CONSTRUCTION OF NEW STORMWATER DRAINAGE FACILITIES. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
d.	LESS THAN SIGNIFICANT IMPACT	THE DEPARTMENT OF WATER AND POWER HAS ADEQUATE SUPPLIES TO SERVE THIS PROJECT, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
e.	LESS THAN SIGNIFICANT IMPACT	ANY INCREASE IN WASTEWATER, IF THERE IS ANY, CAN BE ACCOMODATED BY THE WASTEWATER TREATMENT PROVIDER, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

	Impact?	Explanation	Mitigation Measures
f.	LESS THAN SIGNIFICANT IMPACT	THE LOCAL LANDFILLS HAVE SUFFICIENT CAPACITY TO SERVE THE RESIDENTIAL PROJECT AND THE PROJECT WOULD NOT INVOLVE ANY DEMOLITION ACTIVITIES, RESULTING IN LESS THAN SIGNIFICANT IMPACTS. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
g.	NO IMPACT	SOLID WASTE GENERATED ON-SITE BY THE PROPOSED PROJECT WOULD BE DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REGULATIONS RELATED TO SOLID WASTE. NO IMPACT WOULD RESULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
(VII. MANDATORY FINDINGS OF SIGNIFICANCE			
a.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT WOULD NOT RESULT IN ANY IMPACTS THAT WOULD CAUSE THE ABOVE. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
b.	LESS THAN SIGNIFICANT IMPACT	THE PROJECT WOULD NOT RESULT IN ANY SIGNIFICANT UNAVOIDABLE CUMULATIVE IMPACTS TO THE ENVIRONMENT. THE IMPACTS WOULD BE LESS THAN SIGNIFICANT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	
c.	LESS THAN SIGNIFICANT IMPACT	THE PROPOSED PROJECT DOES NOT HAVE ANY SIGNIFICANT DIRECT OR INDIRECT IMPACTS TO HUMAN BEINGS. NO IMPACT WOULD REULT. SEE INITITAL STUDY PREPARED BY CHRISTOPHER A. JOSEPH AND ASSOCIATES.	

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April 4, 2014

Richard Heyman (A)(O)
6417 Selma Hotel, LLC
Los Angeles, CA 90028

Michael Gonzales (R)
Gonzales Law Group, APC
555 South Flower Street, Suite 650
Los Angeles, CA 90071

CASE NO. ZA 2013-3504(ZV)
ZONE VARIANCE
6417 Selma Avenue
Hollywood
Zone: (T)(Q)C4-2D
D.M.: 1485a187
C.D.: 13
CEQA: ENV-2007-3932-MND
Legal Description: Lot 11, SACKETT TRACT

Pursuant to Los Angeles City Charter Section 562 and Los Angeles Municipal Code Section 12.27-B, I hereby APPROVE:

a Variance from "Q" Condition No. 1 of Ordinance No. 180,381 to allow 182 hotel rooms in lieu of 120 hotel rooms; 79,376 square feet of floor area in lieu of 73,814 square feet; and 4,581 square feet of commercial space in lieu of 17,045 square feet;

a Variance from "Q" Condition No. 3 of Ordinance No. 180,381 to allow a height of ten stories or 125 feet in lieu of nine stories or 125 feet;

a Variance from "Q" Condition No. 4 of Ordinance No. 180,381 to allow a maximum FAR of 5.8:1 in lieu of FAR of 5.3:1;

a Variance from "Q" Condition No. 7 of Ordinance No. 180,381 to introduce bicycle parking per Ordinance 182,386 in conjunction with a reduction in the number of required parking spaces;

a Variance from Section 12.26-E,5 to allow off-site parking by lease in lieu of a recorded covenant; and

a Variance from applicable design guidelines for the design of parking facilities per Los Angeles Municipal Code Section 12.21-A,5 and the Los Angeles Department of

Building and Safety's Information Bulletin No. P/ZC 2002-001 to permit a driveway between the points of curvature on a curb return having a radius of less than 20 feet.

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.

2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.

3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.

5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Zoning Administrator and the Department of Building and Safety for purposes of having a building permit issued.

6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action, or proceeding against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

7. Approved herein is the construction, use, and maintenance of a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with a FAR of no more than 5.8:1 and a height of 125 feet in ten stories. There will be 182 hotel rooms, 77 on-site parking spaces, 14 off-site parking spaces by lease, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating.

8. All off-site parking shall be in place including evidence of completed and signed leases prior to issuance of any building permits or other utilization of Zoning entitlements made herein.

9. Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

10. Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

> "A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter shall constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code."

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than $2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this variance is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or not complied with, then this variance shall be subject to revocation as provided in Section 12.27 of the Municipal Code. The Zoning Administrator's determination in this matter will become effective after April 21, 2014, unless an appeal there from is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are also available on-line at http://cityplanning.lacity.org.** Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits, which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Department of City Planning Staff thereon, and

the statements made at the public hearing on February 19, 2014, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the five requirements and prerequisites for granting a variance as enumerated in Section 562 of the City Charter and Section 12.27-B,1 of the Municipal Code have been established by the following facts:

BACKGROUND

On September 17, 2008, the Planning Commission approved Case No. CPC 2007-3931-ZC-HD-CUB-ZV-SPR for a Zone and Height District Change; a Conditional Use to permit the on-site sale and consumption of a full line of alcoholic beverages with live entertainment and patron dancing; a Variance to permit food and alcohol consumption on the rooftop lounge; a Variance to permit deviations from Section 12.21-A,5; and a Site Plan Review all in conjunction with a nine-story 120-unit hotel to include a restaurant, banquet facility, and two bars, with rooftop uses. Subsequently on November 23, 2010, under Case No. DIR-2010-2962-CLQ, the request for Clarification of "Q" Conditions A1, A2, A6, and A7 of Ordinance 180,831 were approved. Due to changes in the scope of the subject project, the applicant is requesting a Variance from certain "Q" Conditions of Ordinance 180,831 imposed through Case No. 2007-3931-ZC-HD-CUB-ZV-SPR, as well as a variance for off-site parking by lease in lieu of the required recorded covenant.

The applicant is requesting Zone Variances for relief from "Q" Conditions and to allow off-site parking by lease in lieu of a recorded covenant in conjunction with the construction, use, and maintenance of a ten-story, 182-room hotel with 77 on-site parking spaces and 14 off-site parking spaces in the (T)(Q)C4-2D Zone, within the Hollywood Community Plan area. The proposed project will be comprised of 74,795 square feet of hotel uses and 4,581 square feet for commercial uses. The 4,581 square feet of commercial space is split between two locations: the roof top deck contains 2,674 square feet of covered commercial space, while the ground floor lobby contains 1,907 square feet of floor area. The project site is comprised of four parcels (approximately 13,923 square feet of lot area) within a city block bounded by Selma Avenue to the south, Cahuenga Boulevard to the east, Wilcox Avenue to the west, and Hollywood Boulevard to the North and is currently developed with a two-story parking garage. The property fronts Selma Avenue at its southern border, and lies next to existing developed properties to the north and west. The subject site has access to an alley on its eastern border.

Properties to the north and south are zoned [Q]C4-2D-SN and C4-2D are improved with one- and two-story commercial uses. Properties to the east are zoned [Q]C4-2D-SN and [Q]C4-2D and are improved with one-, two-, and three-story buildings including commercial, retail, and housing uses with surface parking lots. Properties to the west are zoned C4-2D and are improved with one- and two-story commercial uses and surface parking lots.

The Hollywood Community Plan Map designates the property for Regional Center Commercial. The Property is located approximately 500 feet from Hollywood Boulevard, a major transit corridor that is served by the Red Line (Metro Hollywood/Vine Train Station) and several MTA and LADOT bus lines.

Selma Avenue is a designated Local Street dedicated to a variable width of 70 feet at the project's frontage and is improved with curbs, gutters, and sidewalks.

Cahuenga Boulevard is a designated Modified Secondary Highway dedicated to a variable width of 75 feet at the project's frontage and is improved with curbs, gutters, and sidewalks.

The alley is dedicated to a 20-foot width and is fully paved.

Relevant Previous Cases, Affidavits, Permits, and Orders on the Subject Property

Permit No. 13019-10000-03019 – On January 06, 2014, the Department of Building and Safety issued a building permit for the demolition of a two-story parking garage.

Case No. ZA 2012-039-CUB – On June 13, 2012, the Zoning Administrator approved a Conditional Use to permit the sale of a full line of alcoholic beverages for on-site consumption in conjunction with a 3,220 square-foot restaurant bar/lounge accommodating 120 seats.

Case No. DIR-2010-2962-CLQ – On November 23, 2010, the Director of Planning approved the requested Clarification of "Q" Conditions A1, A3, A6, and A7 of Ordinance 180381.

Case No. CPC-2007-3931-ZC-HD-CUB-ZV-SPR – On July 24, 2008, the City Planning Commission Approved and Recommended that the City Council adopt a Zone and Height Change from C4-2-D-SN to (T)(Q)C4-2-SN to remove a "D" limitation of 2:1 and allow a FAR of 5.3:1; a Conditional Use to permit the on-site sale and consumption of a full line of alcoholic beverages with live entertainment; approved a variance to permit outdoor dining and alcohol consumption on the eighth floor, and a variance to permit an increase in the number of compact parking spaces, reduced driveways and drive aisles, reduced parking stall width and clearance, and reduced internal turning radius.

Previous Relevant Cases, Affidavits, Permits, and Orders on Surrounding Properties

ZA 2004-1700-CUX-ZV – On July 16, 2004, the Zoning Administrator approved the request for a full-line of alcoholic beverages for on-site consumption with a variance to permit off-site parking through a lease agreement in lieu of the required recorded covenant and agreement, located at 1602 North Cahuenga Boulevard.

Public Hearing

A public hearing on the case was held before the Zoning Administrator on February 19, 2014 at Los Angeles City Hall. The hearing was attended by the representative for the hotel and two members from the public. The following points were made by the speakers:

Michael Gonzalez, representative for the applicant:

- The project site was originally entitled with a zone change in 2008 with a different project.
- Previous project is no longer responsive to current needs.
- Current proposal better fits the need in Hollywood for boutique hotels, no demand for previous ballroom space.
- More guest rooms on additional floor but the height remains the same with same building envelope.
- Mezzanine floor is added to square footage.
- Current proposal is for 77 on-site parking spaces and 14 spaces to be leased off-site.
- The R5 Zone does not restrict the number of guest rooms.

David Carrera, area resident:

- Not necessarily opposed to the application.
- Current project does make for a better project.
- Mostly concerned with changes to the project that changes the entitled conditional use grant for the sale of alcoholic beverages.
- The change in project warrants a new conditional use approval.
- Requested changes to the operating conditions granted as part of the original conditional use for selling of alcoholic beverages.
- Findings for the variance cannot be made as there is nothing physically constraining on the site.
- Applicant should file for a new zone change.

Andrew Christopher, represents adjacent office building:

- Opposed to the increase in floor area.
- Off-site parking will add to already bad traffic congestion in the area.
- Applicant should secure off-site parking.

Correspondence

On February 13, 2014, Staff received a letter from David Carreera, Land Use Representative for the Central Hollywood Neighborhood Council - acting independently of the Neighborhood Council, submitted a letter to the file which outlines several

concerns including: rooftop uses, hours of operations, and with regard to the overconcentration of alcohol licenses in the Hollywood area.

On February 5, 2014, Staff received a letter from nearby business owner, Lucinda Cowell, expressing concern with the subject's off-site parking request. Ms. Cowell stated that she and her colleagues currently have a monthly parking lease at the existing parking garage on site.

MANDATED FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

1. **The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

   The project site is located on the northern side of Selma Avenue, one block west of Cahuenga Boulevard in the (T)(Q)C4-2D-SN Zone. The subject property is improved with a two-story parking garage which will be demolished as part of the proposed hotel project.

   The proposed project is for a ten-story hotel with 79,376 square feet of floor area on a 13,923 square-foot lot, with an FAR of no more than 5.8:1 and a height of 125 feet. There will be 182 hotel rooms, 77 on-site parking spaces, 14 off-site parking spaces, a first floor lobby, a tenth floor rooftop deck with a swimming pool, landscaping (via planters), cabanas, a roof-top covered deck, and a restaurant with indoor and outdoor seating. The revised project retains the same height as previously approved but contains an additional story and increases the square footage and FAR by less than 10% of what was originally approved. The project significantly reduces the proposed amount of commercial space from 17,045 square feet to 4,581 square feet.

   "Q" Conditions

   The strict application of the "Q" Conditions contained in Ordinance 180,381 would not be consistent with the current project. The original "Q" Conditions placed by the zone change ordinance were adopted to implement the previous project. However, the "Q" Conditions unnecessarily restrict the uses on the site by specifying room count, specific sub-use floor areas (i.e. ballroom, courtyard, and bar space), the specific location of such uses, and other items that gives very little opportunity to deviate if a project changes. Such specificity renders the project unable to respond to market needs. These market needs are especially relevant today as the city recovers from the economic recession and the current revitalization of Hollywood are creating different demands. The "Q" Conditions applied to the project are overly restrictive and require the developer to build a

project no longer desired in the current market. The additional number of rooms is permitted by the zone but adding the additional rooms creates additional floor area. The reduction of floor area for commercial use is necessary to build a project that is marketable without leaving empty or unused commercial floor area. The past five years has seen a significant increase in commercial and residential growth in Hollywood and there are many more commercial options for the hotel visitors.

LAMC Section 12.32.G.2(b) defines the purpose of a "Q" Classification as a necessary action in order to (1) protect the best interest of and assure a development with the surrounding properties or neighborhood; (2) secure an appropriate development in harmony with the General Plan; and (3) prevent or mitigate potential adverse environmental effects of the zone change. Modifying the existing "Q" Conditions to conform to the current project will not prevent the project from complying with the purposes of the "Q" Conditions as originally intended by the zone change ordinance. Except for the conditions herein varied, or from the previously approved "Q" Clarification, all other conditions of Ordinance 180,381 are to be complied with.

Parking Variance

Strict adherence to LAMC Section 12.21.A.5, as interpreted by Document P/ZC 2002-001 (the "LADBS Bulletin"), requires on-site parking to be designed in a manner considered safe for cars and pedestrians. However, two sections within the LADBS Bulletin present practical difficulties that cannot feasibly be rectified: Section N, which requires additional width for end stalls, and Section P, which requires a 20-foot driveway radius for two-way traffic in garages with greater than 25 automobiles. Given the property's width at 61.8 feet, the parking garage's second floor is wide enough to be utilized for parking, but too narrow for LADBS Bulletin requirements.

Parking design guidelines such as the LADBS Bulletin are intended to minimize the risk of automotive collisions and the necessary interaction between automobiles and pedestrians. The LADBS Bulletin notes that the minimum space to safely turn a car is higher when more cars are within a garage. This concept identifies the primary safety hazard as the disorganization and uncertainty coming from too many cars within a narrow space. To mitigate these concerns, the project will utilize trained valet parking attendants. Valet attendants will be more experienced at handling the parking structure's layout and are therefore will be more capable of safely parking cars, even in smaller spaces.

As proposed, the hotel will provide 77 on-site parking spaces with many of these through a mechanical lift. With regard to off-site parking, the applicant proposes to procure 14 off-site parking via a lease agreement in lieu of a recorded covenant. Strict adherence to LAMC Section 12.26.E.5 requires a covenant for off-site parking and these covenants are recorded against the properties. Most parking lot and garage owners are no longer willing to burden their properties

with parking covenants that run in perpetuity because it reduces the underlying lands' development potential. Off-site parking is still required but will be provided by a lease agreement instead of a covenant.

2. **There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.**

"Q" Conditions

The special circumstances for this location are the "Q" Conditions from the zone change ordinance are overly restricted to a previous project that is no longer proposed and gives very little opportunity for a revised project to meet a changed market. Condition A.1 of Ordinance 180,381 limits the number of hotel rooms to 120 although there is no limitation on the number of rooms typically permitted in the C4-2D Zone. Additionally the total square footage is limited to 73,814 square feet although a higher square footage is permitted as limited by the floor area ratio (FAR) designation. The "Q" Condition is also very definite in requiring very specific uses and size for the kitchen, lounges and bar, ballrooms, lobbies, and courtyard. Such types of limitations do not occur on other surrounding properties.

Parking Variance

The special circumstances that make providing parking in conformance with LAMC Section 12.21.A.5, as interpreted by the LADBS Bulletin Sections N and P (requiring larger end stall width and larger turning radii for garages having more than 25 cars, respectively) is the property's narrow width. The subject site is 61.8 foot width allows for limited freedom of movement whereas other properties have more design flexibility. The project must locate the driveway ramp at a 90 degree angle to the access aisle. The ramp is 40 feet long; if it were shorter, the slope would be considered too steep for safe movement. This leaves a limited, but not an unsafe amount of space for a car's entry into the garage. To ensure safety, the hotel will employ valet parking attendants to further minimize any danger to pedestrians or cars.

Similarly, while the project can accommodate compact spaces throughout the second parking level, the property does not have the width to accommodate the additional space for end stalls as described in LADBS Bulletin Section N. This section requires one of three additional spacing mechanisms for compact end stalls: (1) increased compact stall width, (2) increased access aisle width, or (3) additional space in the access aisle beyond the end stall. The first option is infeasible because extra width is impeded by a structural column. Given the project's slender dimensions, there are limited options for column placement. The second and third options are infeasible because the project will be built to the property's lot lines. Any increase in access aisle length or width would require the entire structure to intrude into adjoining properties.

The applicant proposes to provide off-site parking by lease agreement because providing off-site parking by covenant at other locations in the vicinity of the property is infeasible. Most of the neighboring properties are already built out to their perspective lot lines or have development potential that property owners would not want to encumber with a covenant which runs for perpetuity. Owners of lots developed as surface parking or parking garages are unwilling to provide parking covenants because those lots also hole future development potential. Therefore a lease agreement is the only feasible mechanism for providing off-site parking. The project can provide 77 on-site parking spaces leaving the balance or 14 spaces for off-site.

3. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

The applicant is merely seeking to utilize the site in a manner that reflects generally what the original "Q" conditions permit. Other similarly zoned properties in the vicinity are not restricted by "Q" conditions and by an Ordinance with tailored conditions to a development. It is important to note that the overall project is adhering to the "Q" Conditions which were adopted six years ago and as such is in compliance with the corresponding Ordinance. The request resolves more an issue of overly specific condition language rather than an issue which seeks to override any of the existing "Q" Conditions.

The instant grant does not result in a reduction of the required parking spaces, it merely allows them to be provided elsewhere under an administratively different option from a covenant. As conditioned, the grant should result in the provision of required parking and add to the parking options available to patrons. Due to development in the area, other landowners are reluctant to provide parking through a covenant which impairs the ability to develop property in the future. Thus, a variance to provide parking off-site by lease would be the likely scenario for any use of the building. No reduction of the required parking is proposed. Citywide and in the Hollywood area, similarly zoned properties have been granted variances to allow parking to be provided off-site by lease and in this instance the applicant seeks to be on par with such properties and to continue to enjoy a property right which was approved previously by a similar variance grant.

4. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The surrounding properties are primarily zoned C4-2D-SN and are characterized by commercial, retail, and entertainment uses on flat topography. Properties to the north and south are zoned [Q]C4-2D-SN and C4-2D are improved with one- and two-story commercial uses. Properties to the east are zoned [Q]C4-2D-SN

and [Q]C4-2D and are improved with one-, two-, and three-story buildings including commercial, retail, and housing uses with surface parking lots. Properties to the west are zoned C4-2D and are improved with one- and two-story commercial uses and surface parking lots.

The existing "Q" Conditions are very specific to a prior project approved in 2008. There were 41 "Q" Conditions approved when the zone change ordinance was adopted. A majority of these conditions are mitigation measures contained in ENV-2007-3932-MND which are not being varied by this action. The four "Q" Conditions being modified reflect changes in the number of hotel guestrooms, the square footage of the project, the number of stories, and inclusion of bicycle parking. These changes do not create a situation where the approved project is not in compliance with the LAMC or the Hollywood Community Plan.

A comment was made at the public hearing by an area resident who had concerns about the proposed project changes and its effect on the existing conditional use approval to serve a full line of alcoholic beverages. The application before the Zoning Administrator was only for variances from the "Q" Conditions and there were no requests to deviate from the existing conditions of approval pertaining to the alcohol conditional use approval. The applicant is aware that any modification that may be necessary to the prior conditional use approval is not considered as part of this action. Also at the public hearing, a representative of an abutting office building testified that parking in the area is impacted and granting the variance is not appropriate. The applicant in this case is not reducing the required parking but providing some of the parking by lease instead of a covenant. Whether by lease or covenant the end result is that parking is provided. Additionally, there will be 77 parking spaces on-site and required bicycle parking. The site is located in transit rich neighborhood and since the request is for a hotel, it is anticipated that not all of the guests will drive cars to stay at the hotel.

5. **The granting of the variance will not adversely affect any element of the General Plan.**

There are eleven elements of the General Plan. Each of these Elements establishes policies that provide for the regulatory environment in managing the City and for addressing environmental concerns and problems. The majority of the policies derived from these Elements are in the form of Code Requirements of Los Angeles Municipal Code. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the Los Angeles Municipal Code.

The property is located within the Hollywood Plan, a component of the Land Use Element of the General Plan. The Hollywood Plan Map designates the property for Regional Center commercial land uses. The (T)(Q)C4-2D Zone classification of the property is consistent with that land use designation. The Plan Text does not discuss specifically the issue of variances of "Q" Conditions or parking by

lease in lieu of by covenant as the Plan is more general than the specificity of the instant request. The Plan is predicated upon all projects complying with the land use designation and that there are conditions when necessary by the decision maker when discretionary approval is sought. The Zoning Administrator has determined that the requested variances from the existing "Q" Conditions as well as for permitting some of the required parking by lease agreement and to allow for deviations from the parking facility design guidelines will not adversely affect any element of the General Plan.

The site is located the Hollywood Entertainment District with a high concentration of retail uses, a broad range of restaurant, bars, theatres, dance clubs, and entertainment and live performance venues. The Plan text states that this center area shall function as the commercial center for Hollywood and the surrounding communities and as an entertainment center for the entire region. The General Plan promotes the provision of services throughout the city in locations that are convenient to the public yet do not impact nearby properties. As conditioned, the use will operate in harmony with the various elements and objectives of the General Plan. Thus, the granting of the request will not adversely affect or conflict with any element of the General Plan.

ADDITIONAL MANDATORY FINDINGS

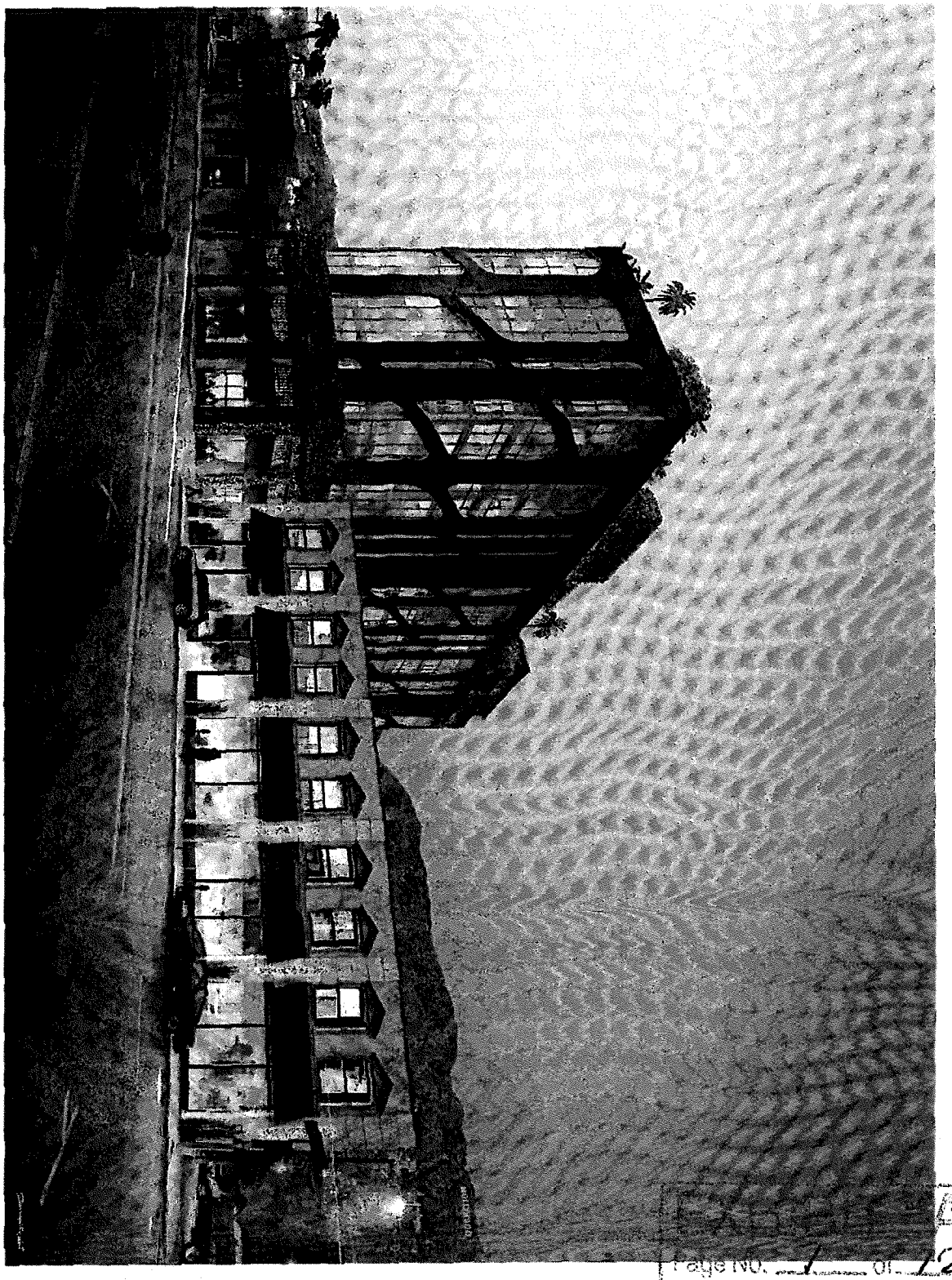
6. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

7. On April 2, 2008, a Mitigated Negative Declaration (ENV-2007-3932-MND) was prepared for the proposed project. On January 16, 2014, the Department of City Planning issued an Addendum (ENV-2007-3932-MND-REC1) to the previously adopted Mitigated Negative Declaration. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that there is no substantial evidence that the proposed project will have a significant effect on the environment.

JIM TOKUNAGA
Associate Zoning Administrator
Direct Telephone No. (213 978-1307

JT:HB:jq

cc: Councilmember Mitch O'Farrell
Thirteenth District
Adjacent Property Owners



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BIKE PARKING

REQUIRED	SHORT TERM (1 PER 2000 SF)	LONG TERM (1 PER 2000 SF)
COMMERCIAL 2,939 SF	2	1
162 HOTEL ROOMS	SHORT TERM (1 PER 40 ROOMS)	LONG TERM (1 PER 20 ROOMS)
	5	9
TOTAL REQUIRED	11 SHORT TERM	11 LONG TERM
PROVIDED		
TOTAL PROVIDED	11 SHORT TERM	11 LONG TERM

PARKING

REQUIRED

162 HOTEL ROOMS	1 CAR / 4 UNITS FOR UNITS 1 TO 60 1 CAR / 3 UNITS FOR UNITS 61 TO 120 1 CAR / 5 UNITS FOR UNITS 61 TO 162	15 20 41
COMMERCIAL 2,939 SF	3/1000	9
SUB TOTAL PARKING		32
REPLACEMENT PARKING (50% REDUCTION PER BIKE ORDINANCE)		27.6
TOTAL PARKING REQUIRED		60

PROVIDED

ON SITE PARKING	
STALL SIZE	COUNT
(L) STANDARD	6
(R) COMPACT	10
(T) ACCESSIBLE	2
(V) TANDEM	14
Grand total	32

GENERAL NOTES

1. THE WORK SHALL CONFORM TO THE APPLICABLE BUILDING CODE, AND ALL OTHER ORDINANCES, CODES, AND REGULATIONS LISTED IN THE SPECIFICATIONS OR ON THE DRAWINGS, AND REQUIRED BY LOCAL BUILDING AUTHORITIES. THE GOVERNING CODES, RULES, AND REGULATIONS ARE COLLECTIVELY REFERRED TO AS THE CODE. CONTRACTOR SHALL REPORT ANY INCONSISTENCIES, CONFLICTS OR OMISSIONS HE MAY DISCOVER TO THE ARCHITECT FOR INTERPRETATION PRIOR TO PERFORMING THE WORK.
2. CONSTRUCTION SHALL COMPLY WITH PERTINENT HEALTH AND SAFETY REGULATIONS FOR REQUIRED METHODS PROTECTING PUBLIC AND CONSTRUCTION WORKER'S HEALTH AND SAFETY DURING THE CONSTRUCTION PERIOD.
3. BEFORE ORDERING ANY MATERIAL, OR DOING ANY WORK, THE CONTRACTOR SHALL VERIFY ALL MEASUREMENTS AT THE BUILDING SITE AND SHALL BE RESPONSIBLE FOR CORRECTNESS OF SAME.
4. DIMENSIONS SHALL BE AS INDICATED ON THE DRAWINGS. CLARIFICATIONS, IF REQUIRED, SHALL BE OBTAINED FROM THE ARCHITECT, THE DRAWING SHALL NOT BE SCALED
5. ALL ITEMS MARKED N.I.C. ON THE SPECIFICATIONS AND DRAWINGS MEANS NOT IN CONTRACT.
6. DO NOT MAKE ANY SUBSTITUTIONS WITHOUT PERMISSION OF THE ARCHITECT OR THE OWNER.
7. WORK INDICATED ON THE DRAWINGS OR IN THE SPECIFICATIONS AS N.I.C. OR BY SEPARATE CONTRACTORS, IS NOT PART OF THIS CONTRACT. CONTRACTOR SHALL COOPERATE FULLY WITH ALL SEPARATE CONTRACTORS EMPLOYED BY THE OWNER.
8. THE CLERK, ARCHITECT, CONSULTANTS, AND ALL INSPECTORS FROM PERTINENT AGENCIES SHALL BE PERMITTED ACCESS TO THE JOB SITE AT ALL TIMES DURING NORMAL WORKING HOURS.
9. WINDOW AND DOOR DIMENSIONS FOR PREFABRICATED WINDOW AND DOOR UNITS HAVE BEEN ROUNDED TO THE NEAREST INCH ON THE DRAWINGS. SPECIFIC DIMENSIONS BY MANUFACTURERS MAY VARY FROM THE DRAWINGS.
10. THE CONTRACTOR SHALL VERIFY LOCATION AND SIZE OF ALL FLOOR, ROOF, AND WALL OPENINGS WITH ALL APPLICABLE DRAWINGS.
11. DETAILS ARE INTENDED TO SHOW THE INTENT OF THE DESIGN. MINOR MODIFICATIONS MAY BE REQUIRED TO SUIT THE FIXED DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK OF THE CONTRACT.
12. THE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE THE METHODS OF CONSTRUCTION. MEANS, METHODS, TECHNIQUES, SEQUENCES, AND PROCEDURES INCLUDING, BUT NOT LIMITED TO, BRACING AND SHORING, OBSERVATION VISITS TO THE SITE BY FIELD REPRESENTATIVES OF THE ARCHITECT AND/OR ENGINEER SHALL NOT INCLUDE INSPECTIONS OF THE PROTECTIVE MEASURES TO THE CONSTRUCTION PROCEDURES.

   ANY SUPPORT SERVICES PERFORMED BY THE ARCHITECT AND/OR ENGINEER DURING THE CONSTRUCTION SHALL BE DISTINGUISHED FROM CONTINUOUS AND DETAILED INSPECTION SERVICES WHICH IS FURNISHED BY OTHERS. THESE SUPPORT SERVICES PERFORMED BY THE ARCHITECT AND/OR ENGINEER, WHETHER OF MATERIAL OR WORK, AND WHETHER PERFORMED PRIOR TO, DURING, OR AFTER COMPLETION OF CONSTRUCTION ARE PERFORMED SOLELY FOR THE PURPOSE OF ASSISTING IN QUALITY CONTROL AND IN ACHIEVING GENERAL CONFORMANCE WITH CONTRACT DOCUMENTS, BUT DO NOT GUARANTEE CONTRACTORS PERFORMANCE AND SHALL NOT BE CONSTRUED AS SUPERVISION OF CONSTRUCTION.
13. IN THE EVENT OF CONFLICTING REQUIREMENTS BETWEEN ITEMS ON THE DRAWINGS OR BETWEEN ITEMS ON THE SPECIFICATIONS, OR BETWEEN ITEMS ON THE DRAWINGS AND IN THE SPECIFICATIONS, THE MORE STRINGENT OR COSTLY SHALL GOVERN, UNLESS OTHERWISE NOTED BY THE ARCHITECT.

LEGAL DESCRIPTION

LOTS 11, 12, 13 AND 14 OF THE SACKETT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16 OF MAPS, AT PAGE 150, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

EXCEPT THEREFROM THAT PORTION OF LOTS 11, 12, 13 AND 14 IN THE SACKETT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 16, PAGE 150 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY END OF SAID COURSE "B" WITH THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THE WEST WALL OF A BRICK GARAGE SITUATED ON THE LAND HEREIN DESCRIBED, SAID INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE DISTANT NORTH 89° 54' 30" WEST, ALONG THE SOUTHERLY LINES OF LOTS 11 AND 18, 107.93 FEET FROM THE WESTERLY LINE OF THE 20 FOOT ALLEY ADJOINING LOT 11 ON THE EAST AS SAID ALLEY IS ESTABLISHED BY THE CITY ENGINEER OF SAID CITY, SAID INTERSECTION BEING ALSO SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF LOTS 17 AND 18 OF SAID TRACT, 140.39 FEET FROM THE EASTERLY LINE OF WILCOX AVENUE, 80 FEET WIDE, AS ESTABLISHED BY SAID CITY ENGINEER; THENCE SOUTH 89° 54' 30" EAST ALONG THE SOUTHERLY LINES OF SAID LOTS 18 AND 11, A DISTANCE OF 32.74 FEET TO A POINT OF INTERSECTION WITH THE EAST FACE OF THE EAST WALL OF SAID BRICK GARAGE, SAID POINT OF INTERSECTION BEING A POINT IN SAID SOUTHERLY LINE OF SAID LOT 11, DISTANT NORTH 89° 54' 30" WEST THEREON 61.39 FEET FROM SAID WEST LINE OF SAID ALLEY AND DISTANT SOUTH 89° 54' 30" EAST, ALONG THE SOUTHERLY LINES OF LOTS 17, 18 AND 11, A DISTANCE OF 203.94 FEET FROM SAID EASTERLY LINE OF WILCOX AVENUE; THENCE NORTHERLY ALONG SAID EAST FACE, THE FOLLOWING DESCRIBED COURSES: NORTH 0° 05' 15" EAST 70.13 FEET, NORTH 89° 54' 45" WEST 0.83 FEET AND NORTH 5° 07' 15" EAST 114.69 FEET TO THE NORTHERLY LINE OF SAID LOT 13; THENCE NORTH 89° 57' 15" WEST, ALONG THE NORTHERLY LINE OF SAID LOT 13, A DISTANCE OF 69.26 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 13; THENCE SOUTH 0° 04' 30" WEST, ALONG THE WESTERLY LINE OF SAID LOTS 13 AND 12, A DISTANCE OF 114.83 FEET TO THE NORTHERLY LINE OF SAID LOT 14; THENCE SOUTH 89° 54' 45" EAST, ALONG SAID NORTHERLY LINE OF LOT 14, A DISTANCE OF 6.13 FEET TO THE NORTHERLY PROLONGATION OF SAID WEST FACE OF SAID WEST WALL; THENCE SOUTH 5° 04' 45" WEST ALONG SAID WEST FACE, AND ITS PROLONGATION A DISTANCE OF 61.91 FEET TO THE POINT OF BEGINNING.

EASEMENT DATA, EXCEPTIONS & EXCLUSIONS

PER PRELIMINARY TITLE REPORT ISSUED BY OLD REPUBLIC TITLE COMPANY
ORDER NO. 941000597 DATED JUNE 8, 2007 AT 8:00 AM
GEOGRAPHICALLY LOCATABLE ITEMS FROM SAID TITLE REPORT WHICH AS EASEMENTS WHICH AFFECT THE TITLE TO THE SUBJECT PROPERTY ARE NUMERICALLY KEYED TO SAID REPORT AND ARE AS FOLLOWS:

NO EASEMENTS OF RECORD.

PROJECT INFORMATION

PROJECT NAME	DREAM HOLLYWOOD HOTEL
ADDRESS	6417 SELMA AVE LOS ANGELES, CA
OWNER	6417 SELMA HOTEL LLC 1626 N CAHUENGA BLVD SUITE 203 LOS ANGELES, CA 90028
PROJECT DESCRIPTION	NEW HOTEL CONSTRUCTION - TOTAL OF 19 STORIES, 7 STORIES OF HOTEL ROOMS WITH ROOFTOP POOL, RESTAURANT & LOUNGE BULK OVER 3 LEVELS OF PARKING WITH LOBBY ON FIRST LEVEL
CONSTRUCTION TYPE	TYPE IVB FULLY SPRINKLERED
ZONING	C4 2D-SN
FLOOD ZONE	NA
SITE AREA	13,903.44 SQ FT
SET BACKS	NONE
PROPOSED FAR	6.376 SF
ALLOWABLE BLDG HEIGHT	135'-0"
PROPOSED BLDG HEIGHT	125'-0"
PROPOSED DENSITY	162
OCCUPANCY TYPE	R1, A2, B2

GROSS AREA SCHEDULE

NAME	AREA
1ST FLR	
HOTEL	13498 SF
2ND FLR	
HOTEL	13098 SF
3RD FLR	
HOTEL	11934 SF
4TH FLR	
HOTEL	11934 SF
5TH FLR	
HOTEL	11934 SF
6TH FLR	
HOTEL	11934 SF
7TH FLR	
HOTEL	11934 SF
8TH FLR	
HOTEL	11934 SF
9TH FLR	
HOTEL	11934 SF
10TH FLR	
OPEN TO SKY	1736 SF
COMMERCIAL	1354 SF
COMMERCIAL	845 SF
Grand total	122648 SF

SHEET INDEX

GENERAL NOTES	
G000	COVER SHEET
G010	PROJECT INFORMATION
G020	FAR PLANS
ARCHITECTURAL	
A001	SITE PLAN
A101	1ST FLOOR PLAN
A102	2ND FLOOR PLAN
A103-	5TH FLOOR PLAN (FLOORS 3-5 TYP)
A106	10TH FLOOR PLAN
A111	ROOF PLAN
A200	NORTH AND SOUTH ELEVATIONS
A201	EAST ELEVATION
A202	WEST ELEVATION
A300	BUILDING SECTION

ARCHITECTURAL SYMBOLS

DETAIL
BUILDING SECTION
WALL SECTION
INTERIOR ELEVATION
EXTERIOR ELEVATION
ELEVATION MARK
WINDOW MARK
DOOR MARK
WALL TYPE
WORK POINT
NOTE
ACCESSIBLE PATH OF TRAVEL
FENCE
EXIT SIGN
ALIGN FINISHES
SMOKE DETECTOR
FIRE EXTINGUISHER
AREA DRAIN
FLOOR DRAIN
FLOOR MATERIAL TRANSITION
SECURITY OFFICER

ARCHITECTURAL ABBREVIATIONS

@	AT	FLR	FLOOR	P	PROPERTY LINE
Ø	DIAMETER	FMC	FLOOR MATERIAL CHANGE	PIP	PROTECT IN PLACE
		FOC	FACE OF CONCRETE	PLAM	PLASTIC LAMINATE
AB	ANCHOR BOLT	FOF	FACE OF FINISH	PT	PAINT
AC	AIR CONDITIONING	FOM	FACE OF MASONRY	PTD	PAINTED
ACT	ACOUSTIC CEILING TILE	FOS	FACE OF STUD		
ADA	AMERICANS WITH DISABILITIES ACT	FR	FIRE RESISTIVE	QTY	QUANTITY
		FS	FINISH SURFACE		
ADJ	ADJACENT			R	RADIUS or RISER
AFF	ABOVE FINISH FLOOR	GA	GAGE	RCP	REFLECTED CEILING PLAN
ALT	ALTERNATE	GALV	GALVANIZED	RD	ROOF DRAIN
ALUM	ALUMINUM	GB	GRAB BAR	REF	REFRIGERATOR
APPROX	APPROXIMATELY	GC	GENERAL CONTRACTOR	REQD	REQUIRED
ARCH	ARCHITECT	GYP BD	GYPSUM BOARD	REV	REVISION or REVISED
				RM	ROOM
BD	BOARD	HB	HOSE BIBB	ROW	RIGHT OF WAY
BF	BRACE FRAME	HC	HOLLOW CORE	RWL	RESTROOM
BLK	BLOCK	HCW	HOLLOW CORE WOOD		
BM	BEAM	HDR	HEADER	SC	SOLID CORE
BTWN	BETWEEN	HM	HOLLOW METAL	SCW	SOLID CORE WOOD
		HR	HANDRAIL	SF	SQUARE FEET
CAB	CABINET	HT	HEIGHT	SHT	SHEET
℄	CENTER LINE			SHTG	SHEATHING
CL	CLOSET	INS	INSULATION	SIM	SIMILAR
CLG	CEILING	INT	INTERIOR	SL	SLOPE
CLR	CLEAR			SS	STAINLESS STEEL
CMU	CONCRETE MASONRY UNIT	JST	JOIST	STL	STEEL
COL	COLUMN			STRUCT	STRUCTURAL
CONC	CONCRETE	LAM	LAMINATE		
CONT	CONTINUOUS	LAN	LAUNDRY	T	TREAD
CONTR	CONTRACTOR	LIN	LINOLEUM	TBD	TO BE DETERMINED
CPT	CARPET			TH	THRESHOLD
CRS	COURSES	MAX	MAXIMUM	THK	THICK
CT	CERAMIC TILE	MECH	MECHANICAL	TJ	TRIPLE JOIST
		MFR	MANUFACTURER	TO	TOP OF
(D)	DEMOLISH	MIN	MINIMUM	TOC	TOP OF CONCRETE
DAS	DISABLED ACCESS	MISC	MISCELLANEOUS	TOP	TOP OF PLATE
DBL	DOUBLE	MO	MASONRY OPENING	TOS	TOP OF SLAB
DIA	DIAMETER	MTD	MOUNTED	TOSHTG	TOP OF SHEATHING
DIM	DIMENSION	MTL	METAL	TOW	TOP OF WALL
DN	DOWN			TYP	TYPICAL
DS	DOWNSPOUT	N	NOSE		
DWG	DRAWING	(N)	NEW	UNO	UNLESS NOTED OTHERWISE
		NIC	NOT IN CONTRACT		
(E)	EXISTING	NTS	NOT TO SCALE	VCT	VINYL COMPOSITION TILE
ELECT	ELECTRICAL			VERT	VERTICAL
ELEV	ELEVATION	OC	ON CENTER	VIF	VERIFY IN FIELD
EOS	EDGE OF SLAB	OFCI	OWNER FURNISHED, CONTRACTOR INSTALLED		
EQ	EQUAL	OFOI	OWNER FURNISHED, OWNER INSTALLED	W	WITH
EXT	EXTERIOR	OFVI	OWNER FURNISHED, VENDOR INSTALLED	WC	WATER CLOSET
		OH	OVERHEAD	WD	WOOD
FE	FIRE EXTINGUISHER	OPNG	OPENING	WH	WATER HEATER
FF	FINISH FLOOR			WP	WATERPROOF
FIN	FINISH			WPT	WORK POINT
FJ	FLOOR JOIST				

DAS ROOM SCHEDULE

	ROOM #	ROOM TYPE	ROLL-IN SHOWER	HEARING IMPAIRED EQUIP
	101	QUEEN + QUEEN	YES	YES
	317	KING	YES	YES
	501	QUEEN + QUEEN	YES	YES
	701	KING	YES	YES
	717	QUEEN + QUEEN	YES	YES
	901	KING	YES	YES
	917		YES	YES
	304	QUEEN + QUEEN	NO	YES
	306	KING	NO	YES
	504	QUEEN + QUEEN	NO	YES
	506	KING	NO	YES
	704	QUEEN + QUEEN	NO	YES
	706	KING	NO	YES
		TOTAL	8	14

FLOOR AREA SCHEDULE

1ST FLR	
AREA	1707 SF
2ND FLR	
AREA	10345 SF
4TH FLR	
AREA	10345 SF
5TH FLR	
AREA	10345 SF
6TH FLR	
AREA	10345 SF
7TH FLR	
AREA	10345 SF
8TH FLR	
AREA	10345 SF
9TH FLR	
AREA	10345 SF
10TH FLR	
AREA	2674 SF
Grand total	76778 SF

DEFERRED APPROVALS

1. MECHANICAL, PLUMBING AND ELECTRICAL WORK
2. FIRE SPRINKLER SYSTEM
3. FIRE ALARM SYSTEMS
4. SIGNAGE
5. GRADING WORK
6. WORK IN PUBLIC WAY
7. SHORING
8. 10TH FLOOR - RESTAURANT / BAR / KITCHEN
9. 10TH FLOOR - CABANAS / POOL / POOL LIFT
10. 10TH FLOOR - BAR
11. GLASS RAILING
12. CURTAIN WALL

FIRE RATING REQUIREMENTS

PER LADBC TABLE 601

BUILDING ELEMENT	TYPE IB
STRUCTURAL FRAME	2 HOUR
BEARING WALLS EXTERIOR	2 HOUR
BEARING WALLS EXTERIOR SUPPORTING ROOF	1 HOUR
BEARING WALL INTERIOR	2 HOUR
NON BEARING WALLS	0 HOUR
FLOOR CONSTRUCTION	2 HOUR
ROOF CONSTRUCTION	1 HOUR
SHAFT WALLS FOR ELEVATORS AND STAIRS	2 HOUR
SHAFT WALLS FOR EXHAUST	1 HOUR

NOTE
1. UNLESS NOTED OTHERWISE FOLLOW CHART FOR FIRE RATINGS FOR BUILDING ELEMENTS.

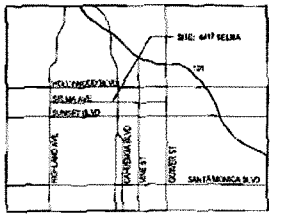
PROJECT TEAM

OWNER
6417 CHARIS DEVELOPMENT
1626 CAHUENGA BLVD
LOS ANGELES, CA 90028
310.593.7045
RICHARD HEYMAN

ARCHITECT
KULLER FLUMMING ARCHITECTS
1639 OLYMPIC BLVD
SANTA MONICA, CA 90404
310.393.3939
ALLISON MASSETT

STRUCTURAL ENGINEER
ARC ENGINEERING
208 NORTH 1ST AVE
ARCADIA, CA 91006
626.574.1425
GAGAN BAINS

VICINITY MAP



RECEIVED
2013 JUL 12
Project No. ZA 2013-3504(ZV)
Case No.

Dream Hollywood Hotel

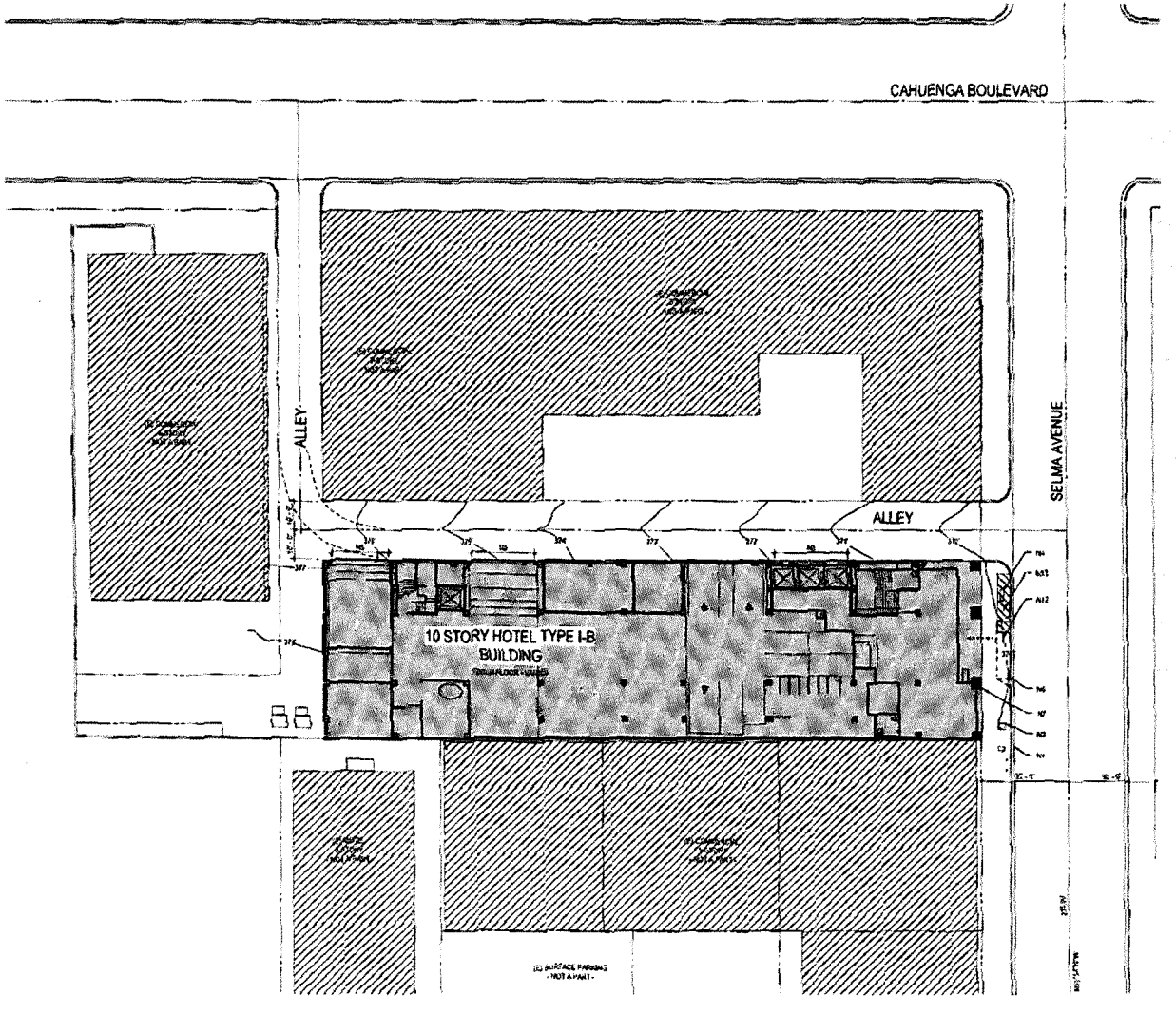
6417 SELMA HOTEL LLC
1626 CAHUENGA BLVD
LOS ANGELES, CA 90028

PROJECT INFORMATION

13033
131029

G010

PG 50



SITE PLAN

NOTES

SHEET NOTES

A. ALL DIMENSIONS ARE TO FACE LINES

B. SEE SHEET G003 FOR TYP ACCESSIBILITY NOTES

C. PROVIDE EXPANSION JOINT AT ALL POINTS OF CONTACT BTWN SLAB AND VERTICAL SURFACES

D. SELMA AND ALLEY: REPAIR ANY BROKEN OFF GRADE OR BAD ORDER CONCRETE, CURB GUTTER, AND CONCRETE SIDEWALK TO THE SATISFACTION OF THE CITY ENGINEER

LEGEND

ACCESSIBLE PATH OF TRAVEL

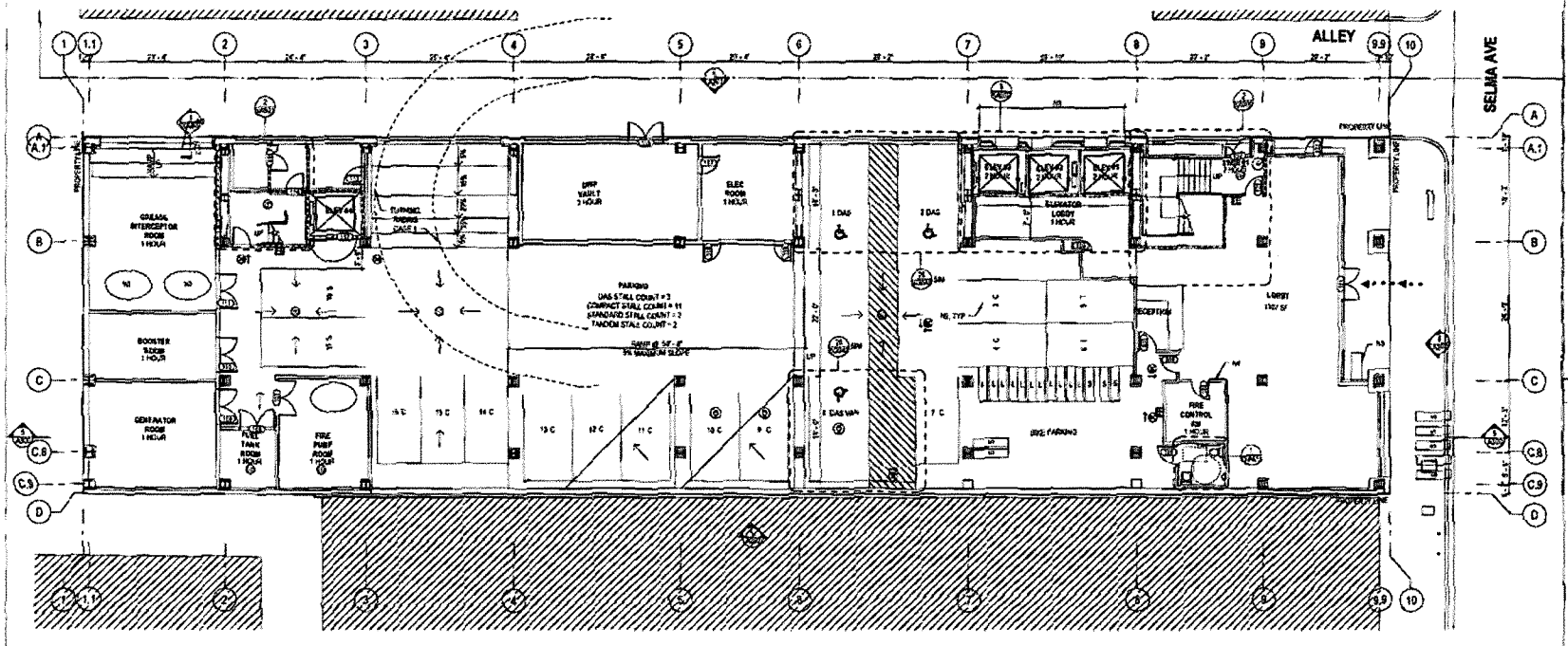
CASE NO. ZA 2013-3304(ZV)

Dream Hollywood Hotel

SITE PLAN

A001

PG 51



1ST FLOOR PLAN

NOTES

1. CLASS I STANDPIPE WITH HORIZONTAL TRANSFER FROM FLOOR ABOVE
2. PARKING SPACE STRIPING
3. SLIDING DECORATIVE IRON DOORS
4. ANNUNCIATOR PANEL
5. FIRE SERVICE CONNECTION
6. DOMESTIC WATER
7. GREASE INTERCEPTOR BELOW SLAB
8. DECORATIVE WOOD PANELS AT ELEVATOR ENTRANCE
9. FUEL FILL
10. REQUIRED TURNING RADIUS FOR PARKING AREA WITH LESS THAN 25 STALLS
11. LINE OF FLOOR ABOVE
12. NONABSORBENT INTERIOR FLOOR AND WALL FINISHES WITHIN AT LEAST TWO FEET AROUND AND PERPENDICULAR TO OPENING

ZA 2013-3570(ZV)

SHEET NOTES

A. ALL DIMENSIONS ARE TO FOC UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G60-G61 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS PARKING AREA RATING SHALL HAVE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE PIPE GUARDS AT ALL EXPOSED PIPES PER DET 10/A109.

F. MIN CLEAR HEIGHT TO THE BOTTOM OF PLUMBING, ELECTRICAL, MECHANICAL PROJECTIONS AND BOTTOM OF STRUCTURAL ELEMENTS SHALL NOT BE LESS THAN 7'-0".

G. PARKING SPACES SHALL NOT OBSTRUCT REQUIRED EXITS.

H. PROVIDE MIN 2-A:10-B:C DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MAX RATION OF 3A:40B:C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

LEGEND

- CLASS I STANDPIPE
- WALL - 2 HOUR
- SHORT TERM BIKE PARKING 2 STALL
- LONG TERM BIKE PARKING 5 STALL
- GROUNDED AC OUTLET FOR FUTURE ELECTRIC VEHICLE CHARGING STATIONS 208/240 V 40 AMP
- ACCESSIBLE
- 1/4" PER FOOT SLOPE UNO

Dream Hollywood Hotel

1ST FLOOR

A101

PG 52

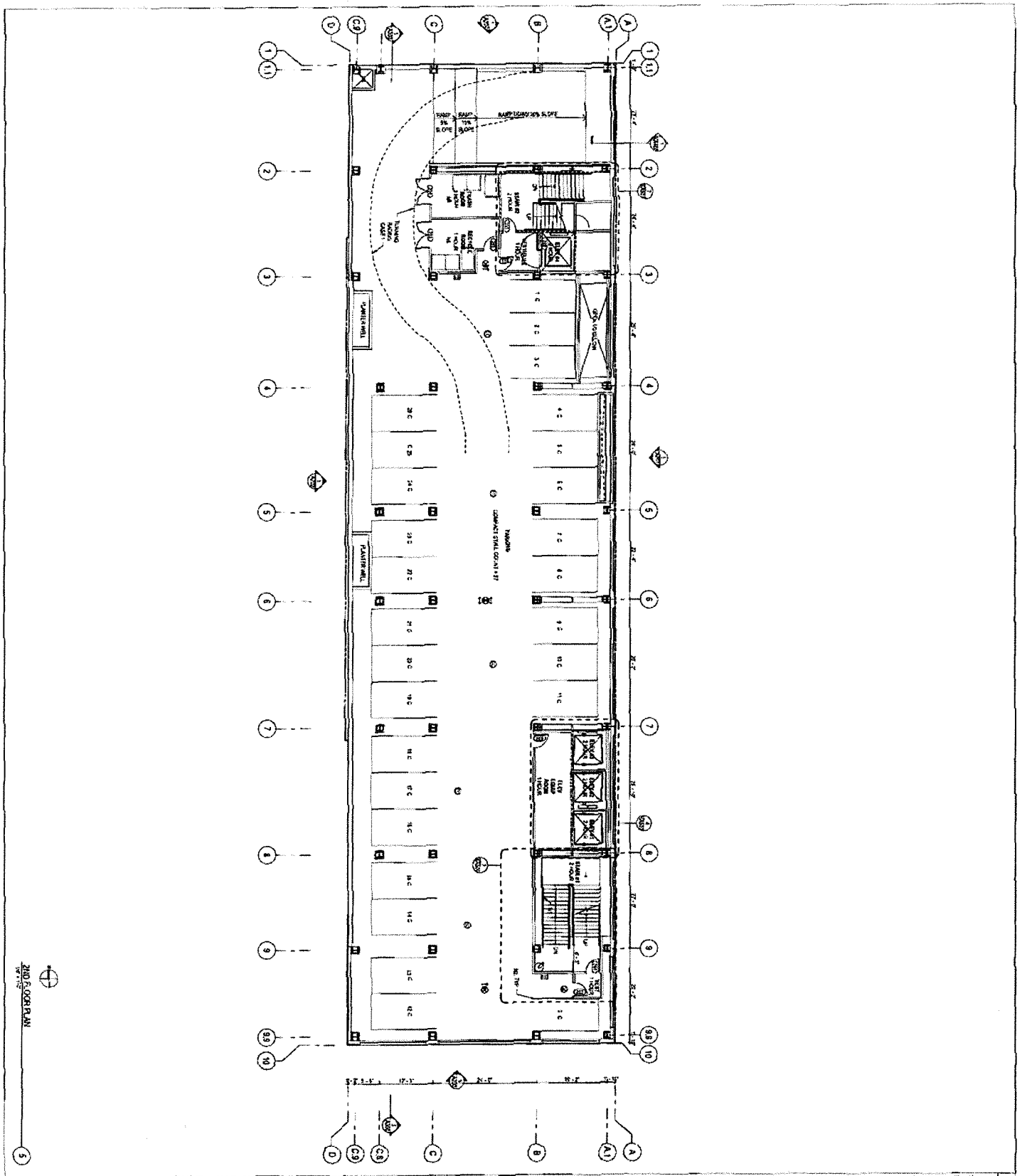


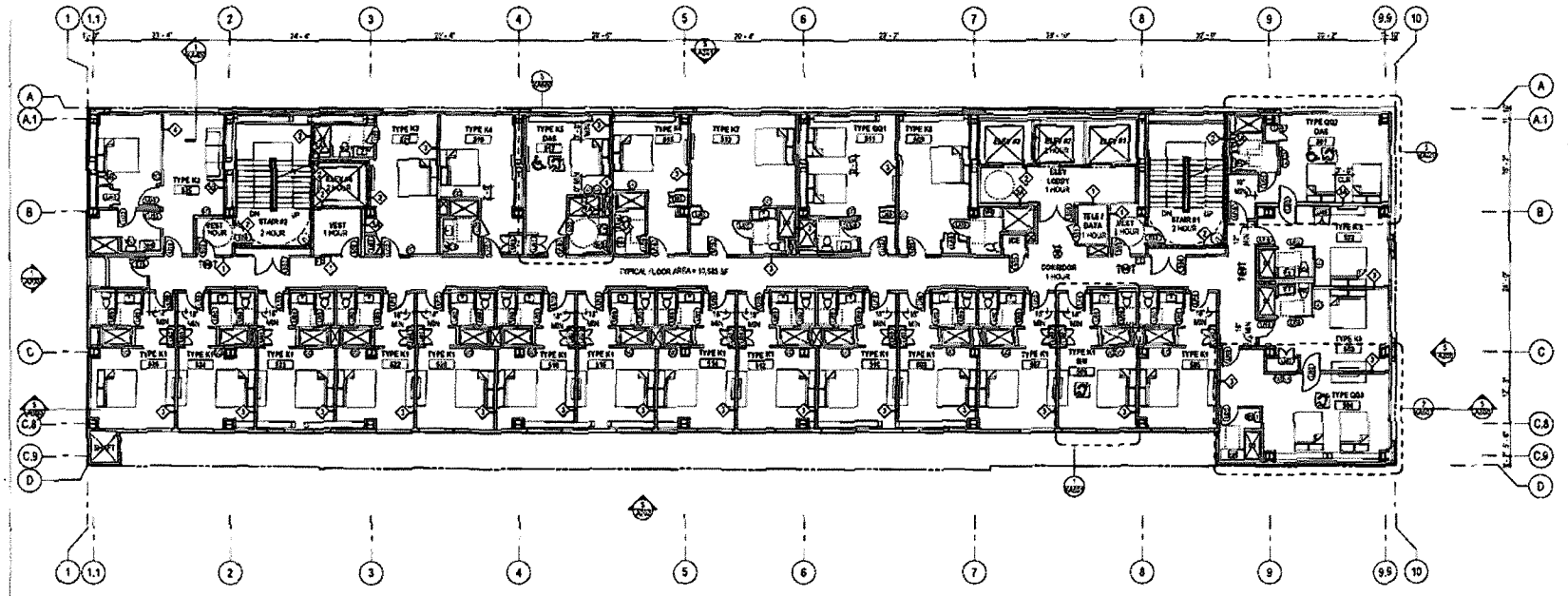
EXHIBIT "A"
Page No. 5 of 12
Case No. ZA 2013-3504(ZV)

Dream Hollywood Hotel

6417 SELMA AVENUE
LOS ANGELES, CA

A102

2ND FLOOR PLAN



5TH FLOOR PLAN (TYPICAL FOR FLOORS 3-9)

NOTES:

GUEST ROOM SCHEDULE

NUMBER	ROOM TYPE
5TH FL. FFE	
501	TYPE GD2 DAS
502	TYPE K2
503	TYPE K3
504	TYPE GD2
505	TYPE K1
506	TYPE K1 RIM
507	TYPE K1
508	TYPE K1
509	TYPE K2
510	TYPE K1
511	TYPE GD2
512	TYPE K1
513	TYPE K1
514	TYPE K1
515	TYPE K2
516	TYPE K1
517	TYPE K3 DAS
518	TYPE K1
519	TYPE K4
520	TYPE K1
521	TYPE K3
522	TYPE K1
523	TYPE K1
524	TYPE A1
525	TYPE K2
526	TYPE K1

Grand total: 26 PER FLOOR

SHEET NOTES

A. ALL DIMENSIONS ARE TO POS UNO.

B. ALL DIMENSIONS INDICATED AS "CLR" ARE FROM FINISH TO FINISH.

C. SEE SHTS G0A1-G0A3 FOR TYPICAL ACCESSIBILITY REQUIREMENTS.

D. ROOMS LABELED AS "HAVING A FIRE RATING SMALL HOUSE RATED WALL, FLOOR & CEILING ASSEMBLIES.

E. PROVIDE MULTI-PURPOSE DRY CHEMICAL TYPE FIRE EXTINGUISHERS WITH A MIN RATING OF 2A-10B-C. EXTINGUISHERS SHALL BE LOCATED ON EVERY FLOOR LEVEL. MAX TRAVEL DISTANCE FROM ANY POINT IN SPACE OR BUILDING NOT TO EXCEED 75 FEET.

F. ALL BATHROOM FIXTURES IN NON DAS GUEST ROOMS TO BE IN A LOCATION THAT ALLOWS A PERSON USING A WHEELCHAIR MEASURING 30" X 48" TO TOUCH THE WHEELCHAIR TO ANY LAVATORY, WATER CLOSET, TUB AND SHOWER STALL.

G. LOCATION AND QUANTITY OF SMOKE DETECTORS IS SUBJECT TO FIRE DEPARTMENT FIELD INSPECTOR.

LEGEND

- CLASS I STANDPIPE
- 1/4" PER FOOT SLOPE UNO
- 2-HOUR WALL
- 60" DIA CLEAR
- 30" x 48" CLEAR FLOOR SPACE
- ACCESSIBLE GUEST ROOM
- HEARING IMPAIRED GUEST ROOM
- S.S SHOWER TYPE
- V.S VANITY TYPE
- T.S BATHTUB TYPE
- W.C.S WATER CLOSET

Dream Hollywood Hotel

6417 SELMA AVENUE

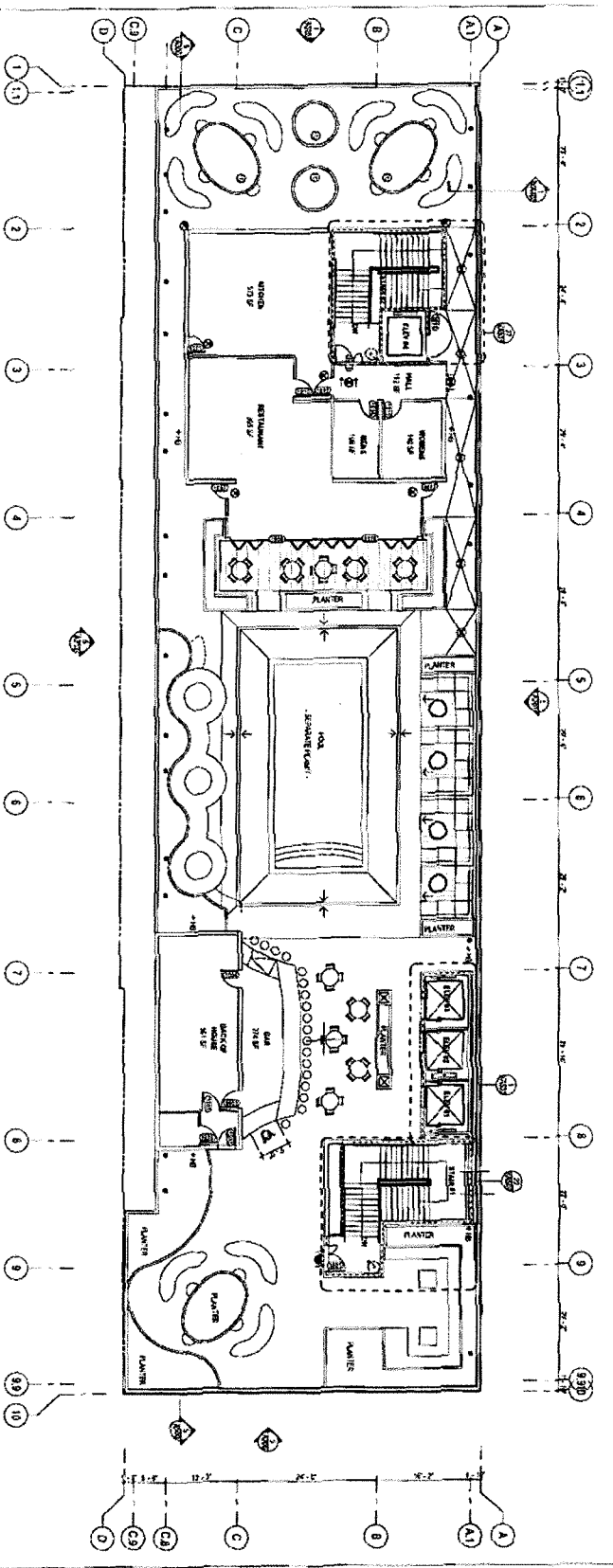
13010

131029

5TH FLOOR PLAN (FLOORS 3-9)

A105

PG 54



10TH FLOOR PLAN

NOTES

SHEET NOTES

LEGEND

EXHIBIT "A"
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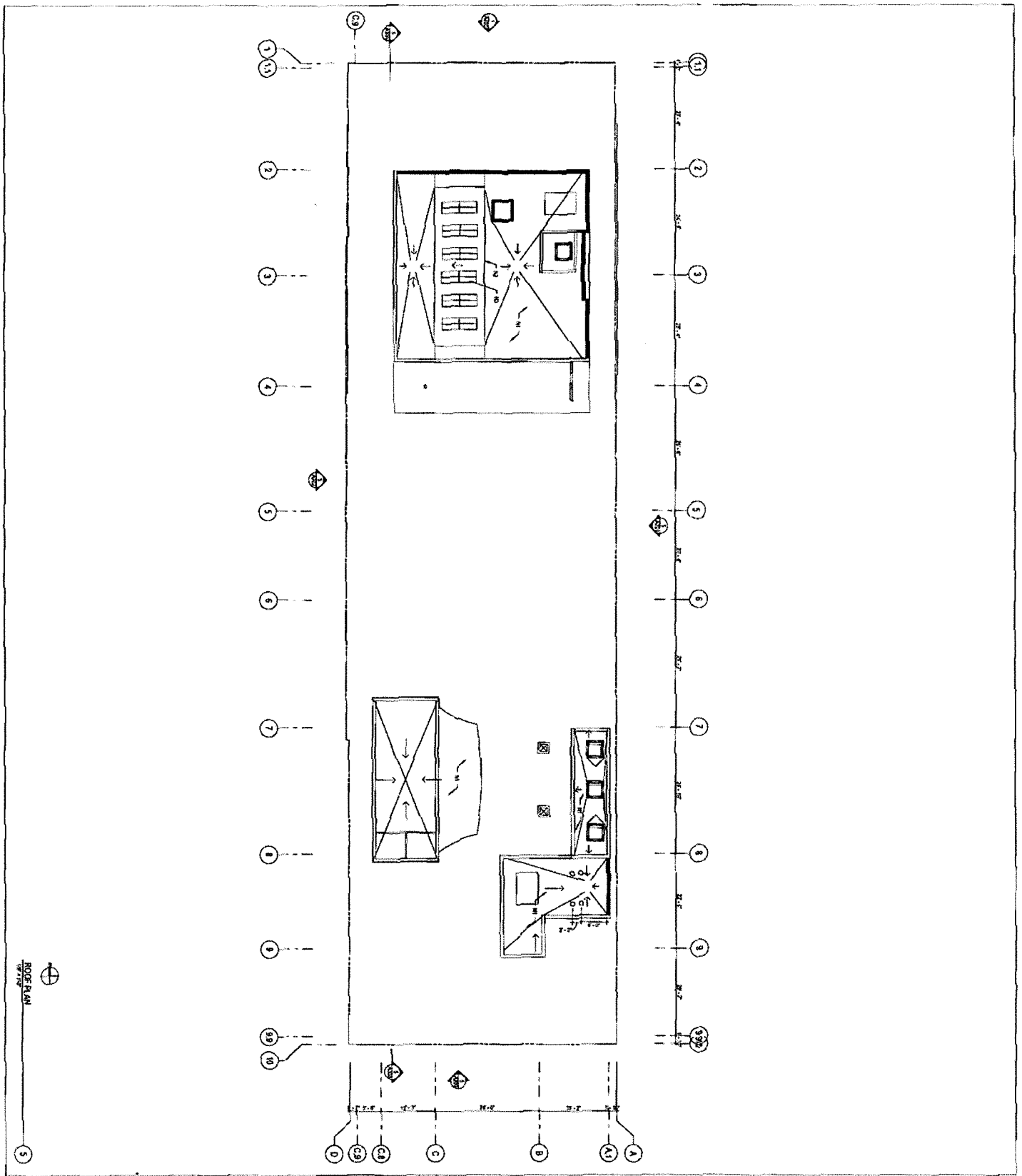
A110

10TH FLOOR

Dream Hollywood Hotel

6417 SELMA AVENUE



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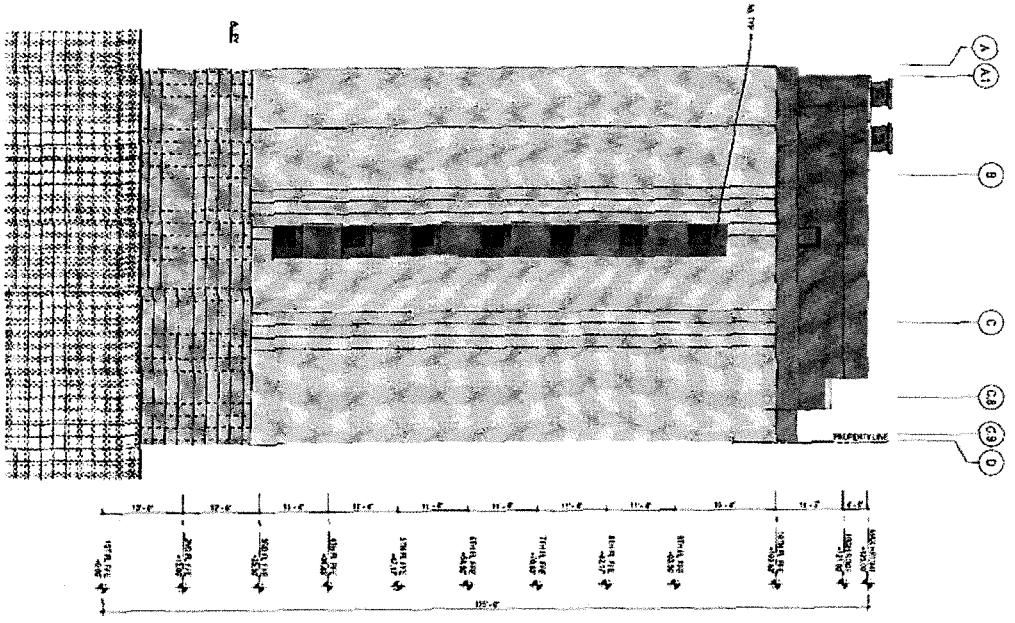
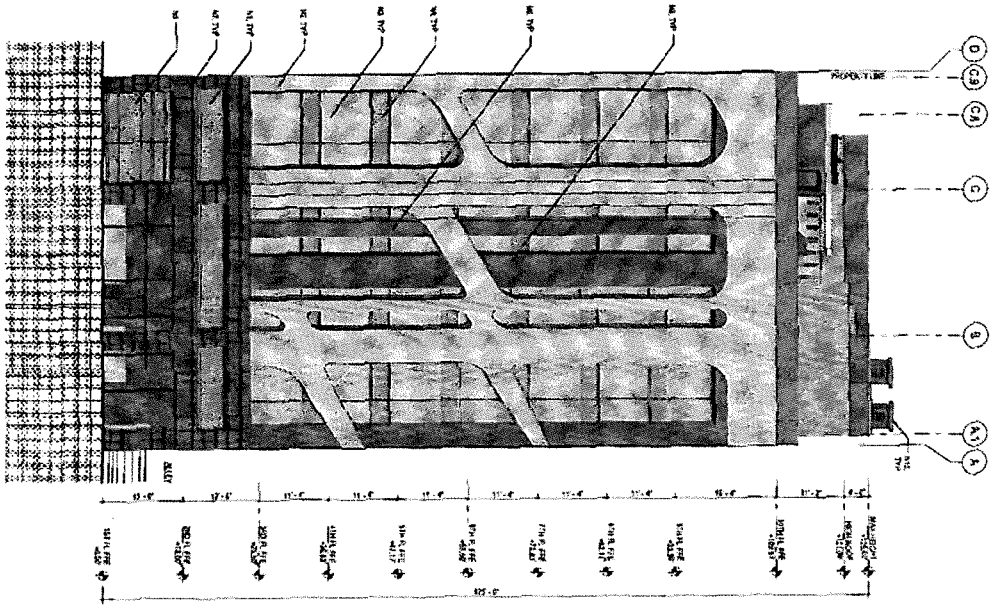
Dream Hollywood Hotel

A111
ROOF PLAN





SOUTH ELEVATION

NOTES

SHEET NOTES

LEGEND

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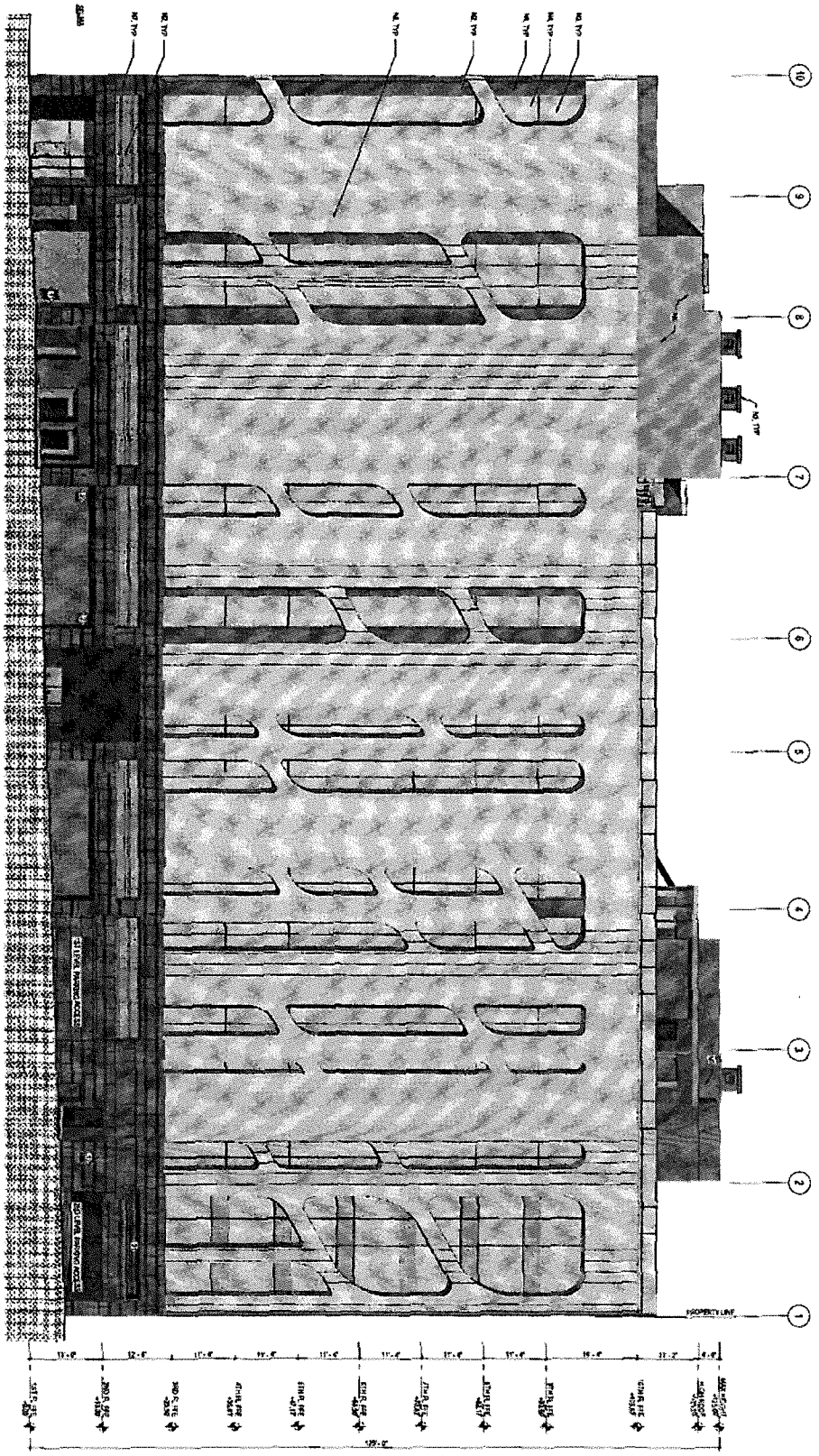
Dream Hollywood Hotel



EAST ELEVATION

NOTES

SHEET NOTES

LEGEND

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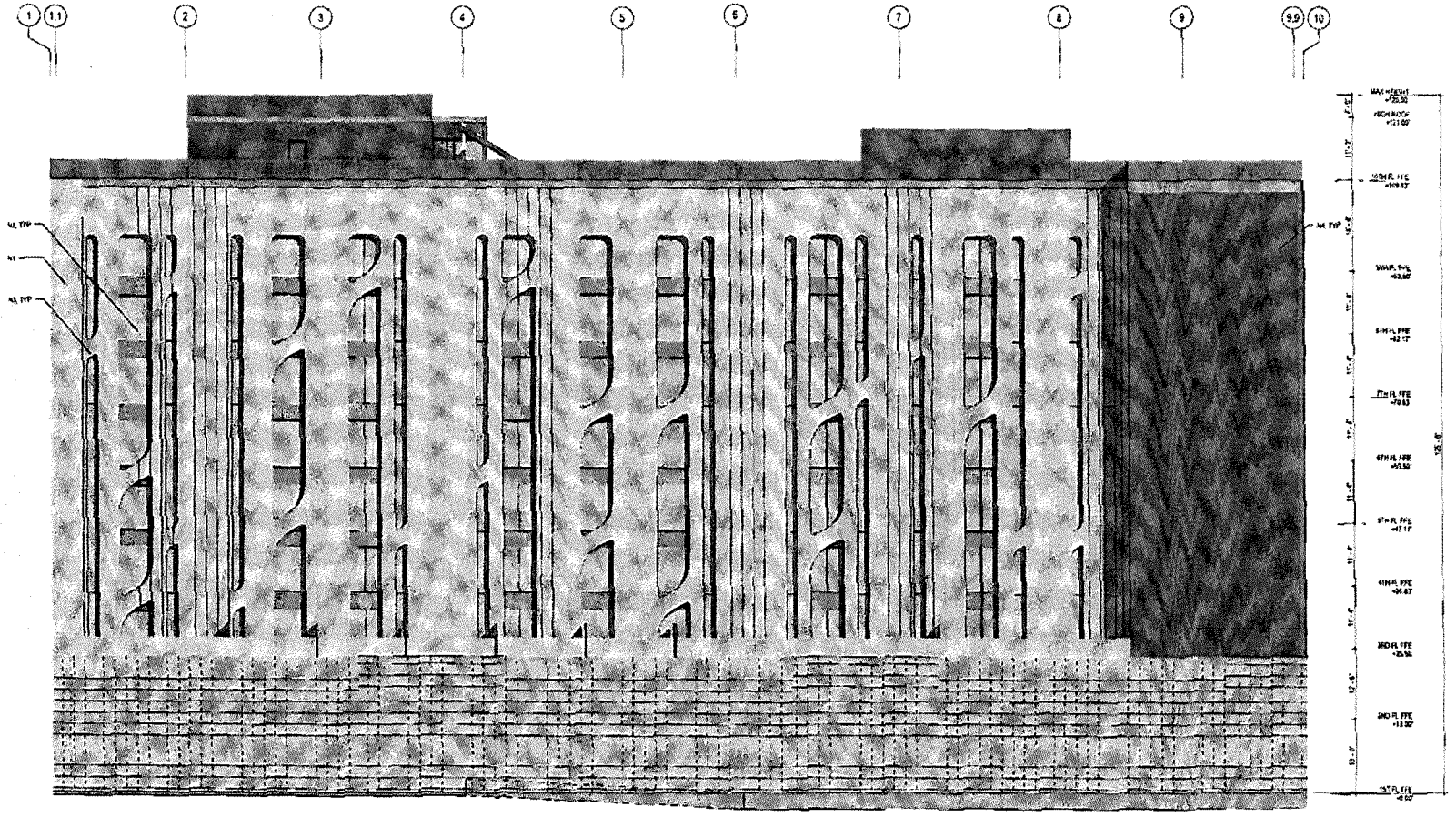
Dream Hollywood Hotel

EAST ELEVATION

A201



WEST ELEVATION

NOTES

1. METAL PANEL
2. GLASS GLAZED CURTAIN WALL SYSTEM
3. SPANDREL GLAZING
4. EXTERIOR PLASTER
5. LOUVER

SHEET NOTES

A. PROVIDE GRAFFITI - RESISTANT COATING TO A HEIGHT OF 10'-0" ABOVE GRADE AT STREET ELEVATIONS, UNLESS NOTED ELSEWHERE.

B. OUTDOOR LIGHTING SYSTEMS SHALL BE DESIGNED AND INSTALLED TO COMPLY WITH THE FOLLOWING:
1. THE MINIMUM REQUIREMENTS IN CALIFORNIA ENERGY CODE FOR LIGHTING ZONES 4.
2. SHIELDED, UPLIGHT AND GLARE (BUG) RATINGS AS DEFINED IN IESNA TM-15-11.
3. ALLOWABLE BUG RATINGS NOT EXCEEDING THOSE SHOWN IN CA ENERGY TABLE 5.106.8.

LEGEND

- EXTERIOR METAL WALL PANEL
- GLASS
- PLASTER
- BRICK
- FIRE DEPARTMENT CONNECTION

PLANNING SET 11 OF 12 24 2013-3804(CW)

Dream Hollywood Hotel

13010
13029

WEST ELEVA

A202

PG 59

LONGITUDINAL SECTION
LEGEND
SHEET NOTES
NOTES
Dream Hollywood Hotel
A300

Environmental Review Section

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

HOLLYWOOD COMMUNITY PLAN AREA

Tao Restaurant and Retail Project

ENV No. ENV-2015-2672-MND

Council District No. 13

THIS DOCUMENT COMPRISES THE INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION ANALYSIS AS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Project Addresses: 6421-6429 W. Selma Avenue and 1600-1604 Wilcox Avenue, Los Angeles, CA 90028

Project Description: The Project Site is located on the north side of Selma Avenue, from the corner of Wilcox Avenue to midblock near the corner of Cahuenga Boulevard. The Project Site contains an area that has already been excavated, a 3,174 square-foot restaurant, a 1,650 square-foot piano bar, and a 4,893 square-foot building with vacant retail space on the ground floor and four residential units on the second floor. The existing restaurant, piano bar, and retail/residential buildings will be removed as part of the Project The Project would construct a 20,624 square foot quality restaurant and a 6,000 square foot retail space. Access to the 3-level subterranean parking would be provided from Wilcox Avenue. The Project would require the following discretionary action:

1. A **Conditional Use Permit**, pursuant to LAMC Section 12.24.W.1, for the on-site sale and consumption of a full line of alcoholic beverages; and

2. Any additional actions as may be deemed necessary or desirable, including but not limited to, demolition, grading, excavation, haul route, and building permits.

APPLICANT:
6421 Selma Wilcox Hotel, LLC

PREPARED FOR:
Los Angeles Department of City Planning

PREPARED BY:
CAJA Environmental Services, LLC

December 2015

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APPENDICES

A Air Quality, Greenhouse Gases, and Noise Appendices, DKA Planning, September 2015.

B-1 Preliminary Geotechnical Engineering Investigation, GeoConcepts Inc., November 25, 2014.

B-2 Responsibility Approval Letter, Los Angeles Department of Building and Safety, July 2, 2015 and Soils Report Approval Letter, Los Angeles Department of Building and Safety, December 27, 2014.

C-1 Phase I Environmental Site Assessment, Partner Inc., September 26, 2014.

C-2 Phase II Subsurface Investigation Report, Partner Inc., November 4, 2014.

D-1 Traffic Impact Analysis, Overland Traffic Consultants, Inc., September 2015.

D-2 LADOT Approval Letter, From Los Angeles Department of Transportation to Los Angeles Department of City Planning, December 7, 2015.

CITY OF LOS ANGELES

CALIFORNINA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY AND CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☒ **Aesthetics**	☐ Greenhouse Gases	☐ Population and Housing
☐ Agriculture and Forestry Resources	☒ **Hazards and Hazardous Materials**	☒ **Public Services**
☐ Air Quality	☐ Hydrology and Water Quality	☐ Recreation
☒ **Biological Resources**	☐ Land Use and Planning	☒ **Transportation and Traffic**
☐ Cultural Resources	☐ Mineral Resources	☒ **Utilities and Service Systems**
☒ **Geology and Soils**	☒ **Noise**	☐ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

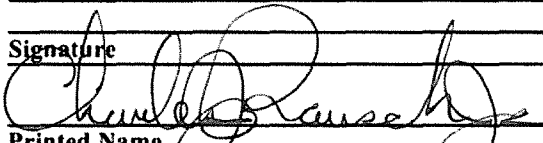
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature	**Date**
	

Printed Name

Charles Rausch, Jr., Associated Zoning Administrator

INITIAL STUDY CHECKLIST (To be completed by the Lead City Agency)

BACKGROUND

PROPONENT NAME	**PHONE NUMBER**
6421 Selma Wilcox Hotel, LLC	*(323) 466-1400*
PROPONENT ADDRESS	
1605 Cahuenga Boulevard, Los Angeles, California 90028	
AGENCY REQUIRING CHECKLIST	**DATE SUBMITTED**
City of Los Angeles Department of City Planning	*December 2015*
PROPOSAL NAME (If Applicable)	
Tao Restaurant and Retail Project	

ENVIRONMENTAL IMPACTS (Explanations of all potentially and less than significant impacts are required to be attached on separate sheets)

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	**AESTHETICS.** Would the project:				
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a scenic highway?	☐	☐	☒	☐
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐
2.	**AGRICULTURE AND FORESTRY RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project, and the Forest Legacy Assessment project, and forest carbon measurement mythology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b.	Conflict the existing zoning for agricultural use, or a Williamson Act Contract?	☐	☐	☐	☒
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104	☐	☐	☐	☒

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	(g))?				
d.	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e.	Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
3.	**AIR QUALITY.** The significance criteria established by the South Coast Air Quality Management District (SCAQMD) may be relied upon to make the following determinations. Would the project result in:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the air basin is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
4.	**BIOLOGICAL RESOURCES.** Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the local or regional plans, policies, regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife	☐	☐	☐	☒

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	Service?				
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e.	Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?	☐	☒	☐	☐
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
5.	**CULTURAL RESOURCES:** Would the project:				
a.	Cause a substantial adverse change in significance of a historical resource as defined in *State CEQA Guidelines* §15064.5?	☐	☐	☒	☐
b.	Cause a substantial adverse change in significance of an archaeological resource pursuant to *State CEQA Guidelines* §15064.5?	☐	☐	☒	☐
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐
6.	**GEOLOGY AND SOILS.** Would the project:				
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ii.	Strong seismic ground shaking?	☐	☐	☒	☐
iii.	Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv.	Landslides?	☐	☐	☐	☒
b.	Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potential result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
7.	**GREENHOUSE GAS EMISSIONS.** Would the project:				
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b.	Conflict with an applicable plan, policy or regulations adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐
8.	**HAZARDS AND HAZARDOUS MATERIALS.** Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for the people residing or working in the area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
9.	**HYDROLOGY AND WATER QUALITY.** Would the proposal result in:				
a.	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b.	Substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned land uses for which permits have been granted)?	☐	☐	☐	☒
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off site?	☐	☐	☒	☐

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f.	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g.	Place housing within a 100-year flood plain as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h.	Place within a 100-year flood plain structures which would impede or redirect flood flows?	☐	☐	☐	☒
i.	Expose people or structures to a significant risk of loss, inquiry or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j.	Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐
10.	**LAND USE AND PLANNING.** Would the project:				
a.	Physically divide an established community?	☐	☐	☐	☒
b.	Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
11.	**MINERAL RESOURCES.** Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b.	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12.	**NOISE.** Would the project:				
a.	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b.	Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e.	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
13.	**POPULATION AND HOUSING.** Would the project:				
a.	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b.	Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
14.	**PUBLIC SERVICES.**				
a.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which				

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i.	Fire protection?	☐	☒	☐	☐
ii.	Police protection?	☐	☒	☐	☐
iii.	Schools?	☐	☐	☒	☐
iv.	Parks?	☐	☐	☐	☒
v.	Other public facilities?	☐	☐	☐	☒
15.	**RECREATION.**				
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b.	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒
16.	**TRANSPORTATION AND TRAFFIC.** Would the project:				
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b.	Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results	☐	☐	☐	☒

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	in substantial safety risks?				
d.	Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e.	Result in inadequate emergency access?	☐	☐	☒	☐
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycles, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐
17.	**UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	☐	☒	☐	☐
c. Does the project have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

☞ **DISCUSSION OF THE ENVIRONMENTAL EVALUATION** (Attach additional sheets if necessary)

PREPARED BY	TITLE	TELEPHONE #	DATE
Heather Bleemers	Planning Associate	(213) 978-0092	December 2015

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2. PROJECT DESCRIPTION

Introduction

Project Title: Tao Restaurant and Retail Project

Project Location: 6421-6429 W. Selma Avenue and 1600-1604 Wilcox Avenue, Los Angeles, CA 90028

Lead Agency: City of Los Angeles
Department of City Planning
200 N. Spring Street, Room 721, Los Angeles, CA 90012

City Staff Contact: Heather Bleemers, Planning Associate
heather.bleemers@lacity.org
213-978-0092

Applicant: 6421 Selma Wilcox Hotel, LLC
1605 Cahuenga Boulevard, Los Angeles, CA 90028

The subject of this Initial Study/Mitigated Negative Declaration (IS/MND) under the California Environmental Quality Act (CEQA) is the proposed Tao Restaurant and Retail Project (the Project).

CEQA Statutes and Guidelines

According to CEQA Statute § 21064.5:

MITIGATED NEGATIVE DECLARATION

"Mitigated negative declaration" means a negative declaration prepared for a project when the initial study has identified potentially significant effects on the environment, but (1) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (2) there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.

According to CEQA Guidelines, Article 6. Negative Declaration Process

15070. DECISION TO PREPARE A NEGATIVE OR MITIGATED NEGATIVE DECLARATION

A public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

(a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

(b) The initial study identifies potentially significant effects, but:

(1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

(2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

15071. CONTENTS

A Negative Declaration circulated for public review shall include:

(a) A brief description of the project, including a commonly used name for the project, if any;

(b) The location of the project, preferably shown on a map, and the name of the project proponent;

(c) A proposed finding that the project will not have a significant effect on the environment;

(d) An attached copy of the Initial Study documenting reasons to support the finding; and

(e) Mitigation measures, if any, included in the project to avoid potentially significant effects.

Project Location

The Project Site is located at 6421-6429 West Selma Avenue and 1600-1604 Wilcox Avenue, on the north side of Selma Avenue, from the corner of Wilcox Avenue to midblock near the corner of Cahuenga Boulevard. See Figure 2-1, Vicinity Map and Figure 2-2, Aerial Map, for the Project Site and surrounding areas.

Regional Setting

The Project Site is located within the Hollywood Community Plan (HCP) in the City of Los Angeles (City), approximately six miles northwest of Downtown Los Angeles. The HCP is a mosaic of districts, including the historic entertainment district on Hollywood Boulevard, the Media District south of Santa Monica Boulevard, the major medical facility cluster in East Hollywood, and many distinctive residential neighborhoods throughout. The HCP covers 25 square miles, extending roughly south of the Cities of Burbank and Glendale and the Ventura Freeway (US-134), west of the Golden State Freeway (I-5), north of Melrose Avenue and east of Mulholland Drive and the Cities of West Hollywood and Beverly Hills,

including a strip of land south of the City of West Hollywood and north of Rosewood Avenue, between La Cienega Boulevard and La Brea Avenue. Adjoining community plan areas include Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass to the north, Bel Air-Beverly Crest to the west, Wilshire to the south, and Silver Lake-Echo Park and Northeast Los Angeles to the east.

Regional and Local Access

Regional access is provided by the Hollywood Freeway (US-101) located approximately 2,800 feet northeast of the Project Site at Cahuenga Boulevard. Local access is provided by Cahuenga Boulevard, Wilcox Avenue, Selma Avenue, Sunset Boulevard, and Hollywood Boulevard.

Public Transit

The Los Angeles County Metropolitan Transportation Authority (Metro) provides bus service to the Project Site. The Metro Red Line provides rail service to Downtown Los Angeles, Koreatown, Hollywood, and North Hollywood. The Project Site is approximately 1,500 feet southwest of Metro's Hollywood/Vine Station and approximately 2,700 feet southeast of Metro's Hollywood/Highland Station.

Site Characteristics

The Project Site is L-shaped. The Project Site's assessor parcel number (APN), zoning, land use designation, and lot size is listed on Table 2-1, Project Site. The Project Site has a total area of approximately 21,610.7 square feet (or 0.496 acres). The Project Site is in the Hollywood Community Plan Area, within the C4-2D Zone (Commercial Zone, Height District 2, Development Limitation), with a General Plan land use designation of Regional Center Commercial. The Project Site is within the ZI-1352 and ZI-2277 Hollywood Redevelopment Project, Los Angeles State Enterprise Zone (ZI-2374), and ZI-2433 Revised Hollywood Injunction.[1]

Table 2-1
Project Site

Address	APN	Zone	General Plan Land Use	Size (sf)
1600, 1602, 1604 Wilcox Avenue, 6429, 6429 ½ Selma Avenue	5536-007-018	C4-2D	Regional Center Commercial	6,975.5
6425, 6425 ¼, 6425 ½, 6427 Selma Avenue	5546-007-024			2,446.5
6421, 6423 Selma Avenue	554-007-023			4,589.3
None				3,909.4
None				3,585.2

[1] *ZI-2433 became effective on April 2, 2014 in response to the LA County Superior Court's injunction prohibiting the City from granting any authority, permits, or entitlements which derive from the HCP Update or its EIR. http://zimas.lacity.org/documents/zoneinfo/ZI2433.pdf*

None				104.8
Total				**21,610.7**
*Source: Zone Information & Map Access System (*ZIMAS): *http://zimas.lacity.org/.* *Killefer Flammang Architects, 7-15-15.* *Table by CAJA Environmental Services, August 2015.*				

Existing Uses

The Project Site contains an area that has already been excavated, a 3,174 square-foot restaurant, a 1,650 square-foot piano bar, and a 4,893 square-foot building with vacant retail space on the ground floor and four residential units on the second floor. The existing restaurant, piano bar, and retail/residential[2] buildings will be demolished as part of the Project.

Surrounding Uses

- To the west across Wilcox Avenue are a US Post Office and a hotel.
- To the south across Selma Avenue are commercial uses, a walk-in clinic, and surface parking.
- To the north, immediately adjacent to the Site, are a surface parking lot and a hotel.
- To the east, immediately adjacent to the Site, is an under construction 10-story, 182-room hotel.

The nearest off-site residential uses are approximately 300 feet to the west on Schrader Boulevard, north of Selma (1618 Schrader Boulevard); and approximately 330 feet east of the Site at Cosmo Street (Cosmo Lofts). The surrounding uses are shown in Figure 2-3, Views of Surrounding Uses.

Proposed Project

The proposed Project is the demolition of three buildings for the construction, use, and maintenance of a 20,624 square-foot restaurant consisting of two levels and a 6,000 square-foot retail space. The restaurant will have a maximum of 333 seats. Music provided by a DJ would be located on the lower level of the restaurant. The construction of the restaurant and retail space is allowed by-right. However, the Project has a discretionary request and triggers CEQA review because it is seeking a CUP to permit a full-line of alcoholic beverages for on-site consumption within the restaurant portion of the project, as further described under Discretionary Actions, below.

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[2] *The vacant retail and residential building is expected to be demolished soon. In order to present a conservative estimate of net Project trips, trip credits will not be taken for this building.*

A Site Plan, Level P3 Plan, Level P2 Plan, Level P1 Plan, First Floor Plan, Roof Plan, elevations, and sections are shown in Figures 2-4 through 2-11:[3]

FAR

The Project Site is approximately 21,610.7 square feet. The zoning allows 2:1 Floor-Area-Ratio (FAR) or 43,221.4 square feet of floor area. The Project is approximately 26,624 square feet, or 1.23:1 FAR.[4]

Height

The allowable building height has no limit. The proposed maximum building height is 27 feet for the restaurant portion.[5] The retail portion is approximately 14 feet in height.

Access and Parking

Table 2-2, Vehicle Parking, provides the amount of required parking by land use type and quantity. The Project is required to provide 53 spaces. Project parking will be provided on-site with three below grade parking levels and a driveway off of Wilcox Avenue only. A valet service will be offered to guests who prefer not to park their own vehicles. The project will provide a total of 93 parking spaces. If the square footages of the Project are reduced, the parking requirement will be reduced accordingly.[6]

Table 2-2
Vehicle Parking

Use	Amount	Rate	Total spaces
Restaurant	20,624 sf	1 space / 500 sf	41
Retail	6,000 sf	1 space / 500 sf	12
Total Required			**53**
Source: Overland Traffic Consultants, September 2015. *Table by CAJA Environmental Services, September 2015.*			

Bicycles

LAMC 12.21 A.16(a)(2) requires new projects to provide bicycle parking spaces. Restaurants and retail requires 1 short-term space per 2,000 sf and 1 long-term space per 2,000 sf. Short term bicycle parking shall consist of bicycle racks that support the bicycle frame at two points. Long term bicycle parking shall be secured from the general public and enclosed on all sides and protect bicycles from inclement weather.

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3 *Killefer Flammang Architects, 7-15-15.*

4 *26,625 sf floor area / 21,610.7 sf lot area = 1.23*

5 *Killefer Flammang Architects, 7-15-15.*

6 *Overland Traffic Consultants, September 2015.*

As required and demonstrated below in Table 2-3, the Project will provide, at a minimum, 13 short-term and 13 long-term bicycle spaces. If the Project is reduced, the corresponding bicycle amenities may be reduced to meet code requirements.

Table 2-3
Bicycle Parking Required

Use	Amount	Rate	Short-Term	Long-Term
Restaurant	20,624 sf	1 per 2,000 sf (short-term) 1 per 2,000 sf (long-term)	10	10
Retail	6,000 sf	1 per 2,000 sf (short-term) 1 per 2,000 sf (long-term)	3	3
Total Required			**13**	**13**

LAMC Table 12.21.A.16.(a)(2)
Source: Overland Traffic Consultants, September 2015.
Table by CAJA Environmental Services, September 2015.

Open Space

Open space requirements are not applicable to a restaurant or retail project.

Landscaping

There are four street trees on the City sidewalk along Selma Avenue. These are off-site street trees as part of the City's planting program and not native originating (natural to the location) trees. There is no landscaping or trees on the Site.

Green/Conservation Features

The Project will comply with the Los Angeles Green Building Code (LAGBC), which is based on the 2013 California Green Building Standards Code (CalGreen).[7]

Construction Information

The restaurant portion would include demolition of one building, excavation down to approximately 33 feet for three subterranean parking levels, export of 14,000 cubic yards of soil, and construction of an approximately 20,624 square-foot restaurant space.[8] The restaurant portion is already permitted and undergoing excavation and construction but for a conservative analysis, the MND has evaluated the total excavation and construction. The retail portion would include demolition of two buildings, excavation

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[7] *Los Angeles Department of Building and Safety: http://ladbs.org/LADBSWeb/green-bldg.jsf*

[8] *Applicant estimate, September 2015*

down to approximately 33 feet for three subterranean parking levels, export of 18,000 cubic yards of soil, and construction of an approximately 6,000 square feet retail space.[9] The total export is approximately 32,000 cubic yards. Operation would begin in 2017.[10] The estimated construction schedule is shown in Table 2-4, Construction Schedule.

A Haul Route program could be required as part of the City's permitting process. It is anticipated that the limited demolition and construction debris will be transported to the Sunshine Canyon Landfill in Sylmar. The haul route is approximately 20 miles and will generally include: local streets (Cahuenga Boulevard) to US-101 freeway to CA-170 freeway to I-5 freeway to Sepulveda Blvd to San Fernando Road to Sunshine Canyon Landfill.

Table 2-4
Construction Schedule

Phase	Duration
Demolition	2 weeks
Site Prep	2 weeks (the restaurant excavation has started)
Grading/Excavation	3 months (the restaurant excavation has started)
Construction	3 months for retail 3 months for restaurant
Architectural Coatings	1 month for retail 3 months for restaurant
Construction schedule are estimates only. *Source: Client provided, August and September 2015.* *Table: CAJA Environmental Services, September 2015.*	

Project Objectives

The objectives of the Project are as follows:

- Provide restaurant and retail uses within walking distance of the commercial, office, and hotel uses in the surrounding areas along Wilcox Avenue, Cahuenga Boulevard and Hollywood Boulevard.
- Activate Selma Avenue with new restaurant and retail opportunities.

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[9] *Applicant estimate, August 2015*

[10] *Overland Traffic Consultants, September 2015.*

- Contribute to the economic recovery of the City with viable restaurant and retail uses that generate local tax revenues, provide new jobs, with employees who support local businesses, including dining, shopping and entertainment venues nearby.

Discretionary Actions

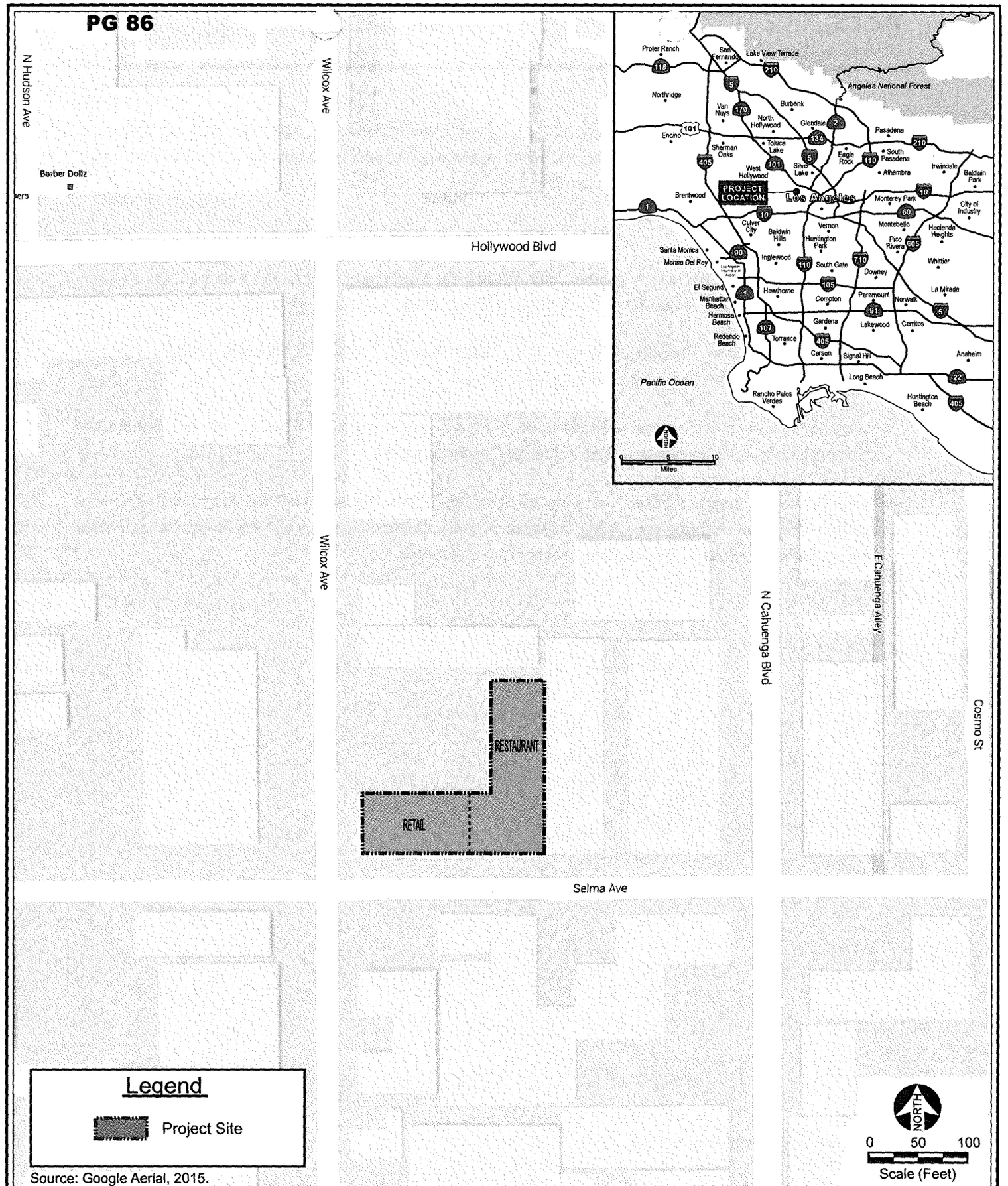
The City of Los Angeles (the City) is the Lead Agency for the Project. In order to construct the Project, the applicant is requesting approval of the following discretionary and ministerial actions from the City: [11]

1. A **Conditional Use Permit**, pursuant to LAMC Section 12.24.W.1, for the on-site sale and consumption of a full line of alcoholic beverages; and

2. Any additional actions as may be deemed necessary or desirable, including but not limited to, demolition, grading, excavation, haul route, and building permits.

Pursuant to various sections of the Los Angeles Municipal Code, the applicant would request approvals and permits from the Building and Safety Department (and other municipal agencies) for project activities including, but not limited to the following: tenant improvements.

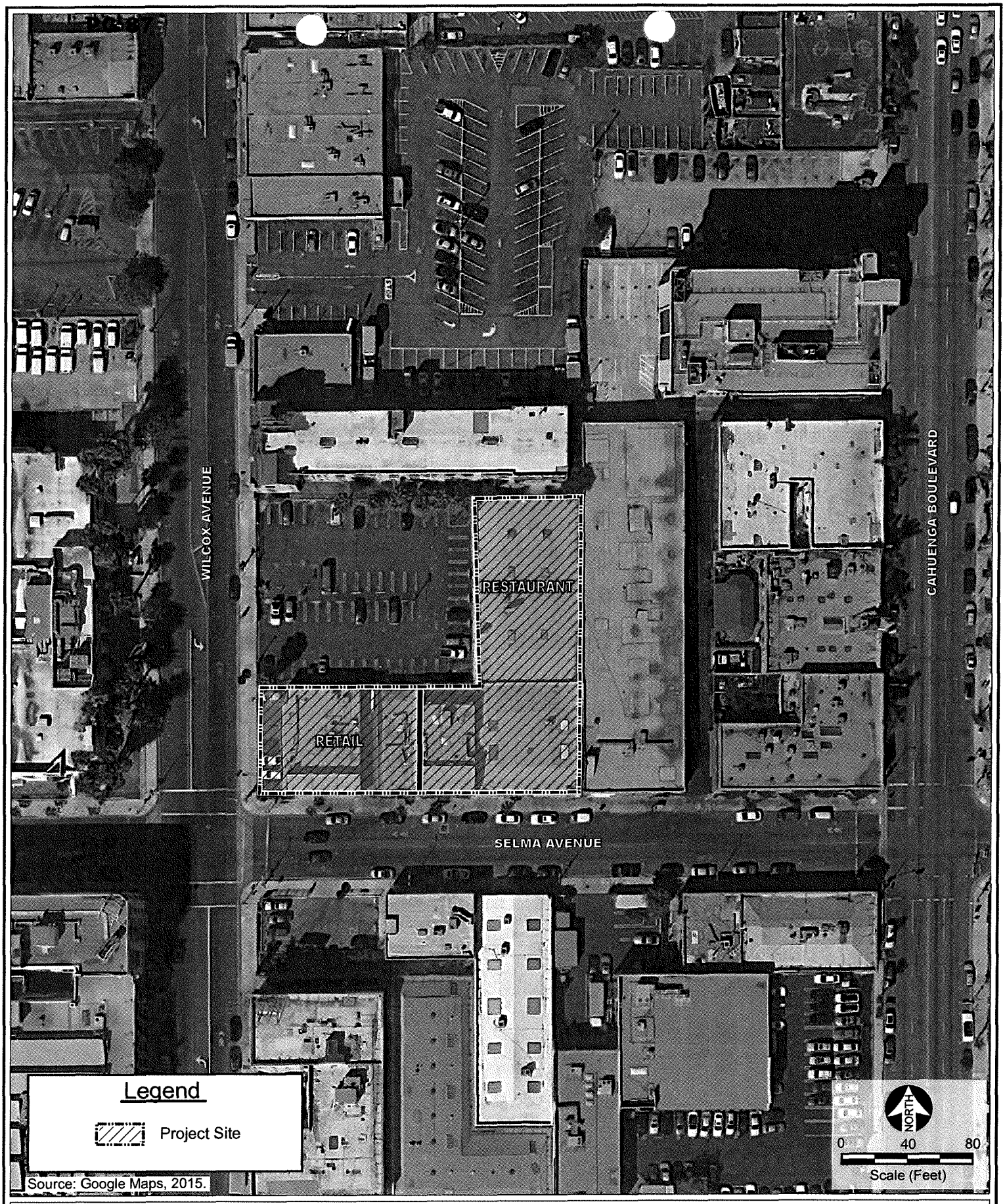
[11] *Dana Sayles, Project representation, August 2015.*



Source: Google Aerial, 2015.

CAJA Environmental Services, LLC

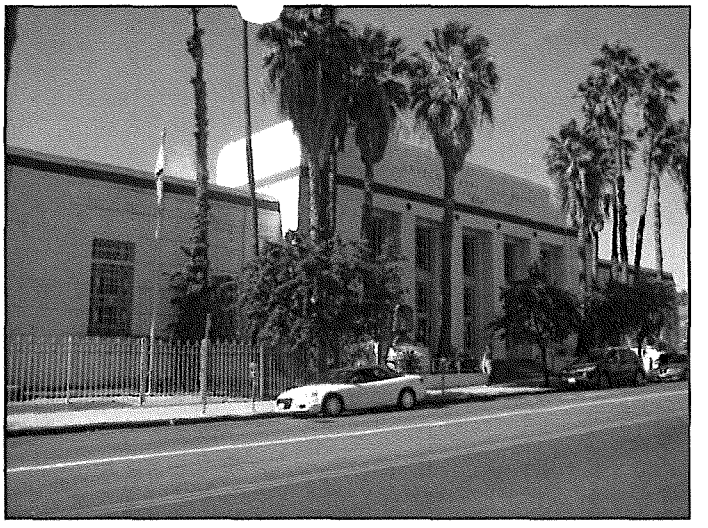
Figure 1
Vicinity Map



CAJA Environmental Services, LLC

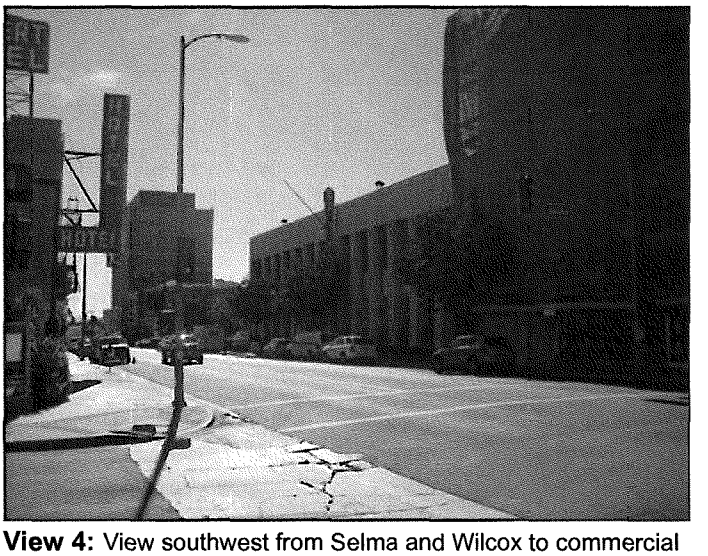
Figure 2-2
Aerial Map

View 1: View northwest from Cahuenga and Selma toward commercial uses and under construction hotel to the east of the Site.



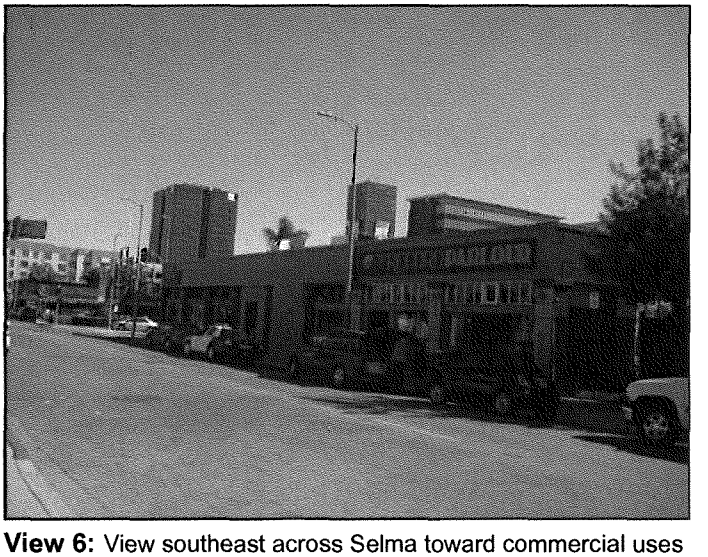
View 2: View northwest across Wilcox to Post Office.

View 3: View south across Selma toward commercial uses and a walk-in clinic to the south of the Site.



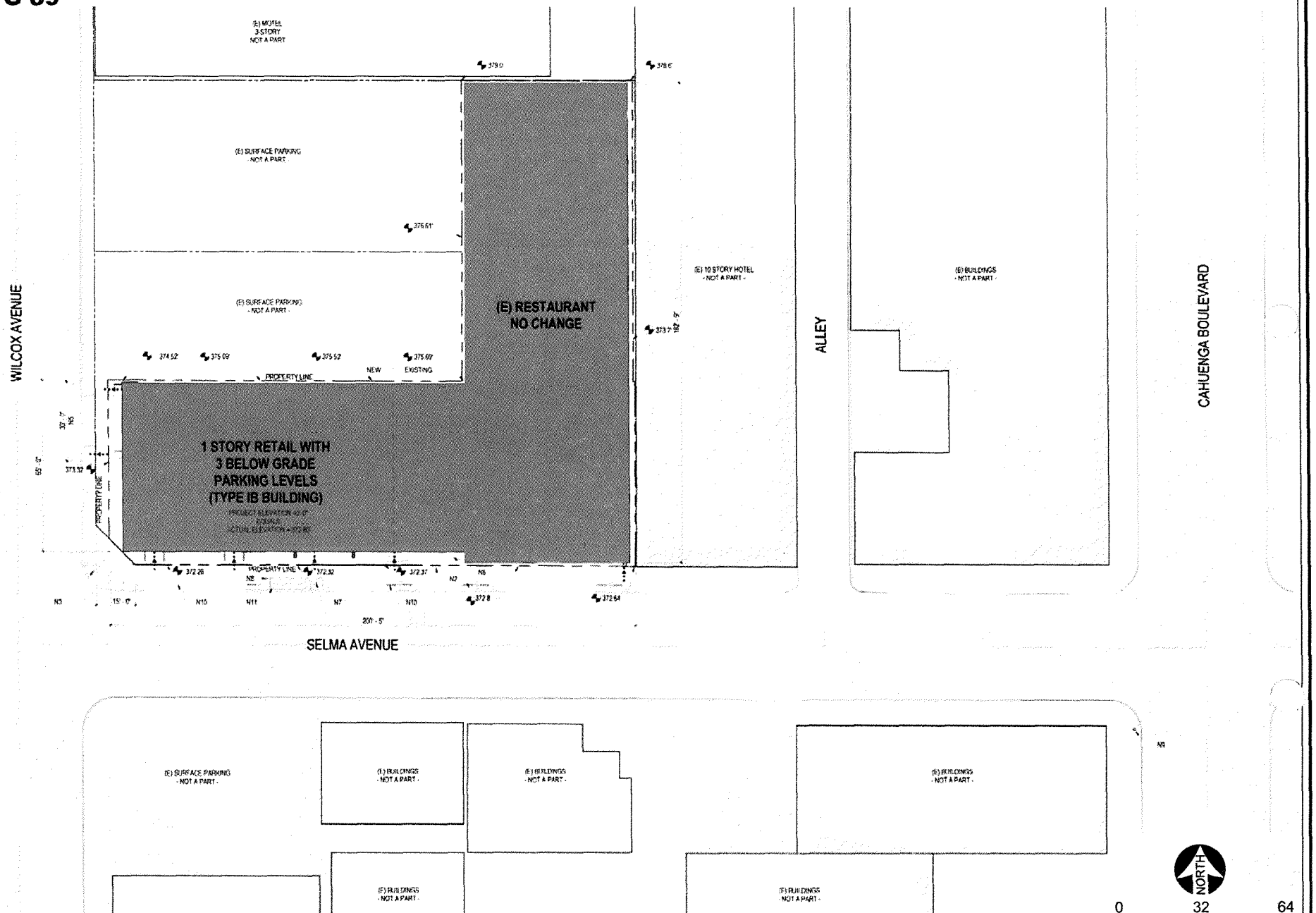
View 4: View southwest from Selma and Wilcox to commercial and hotel uses.

View 5: View north along Wilcox to commercial and hotel uses.



View 6: View southeast across Selma toward commercial uses to the south east of the Site.

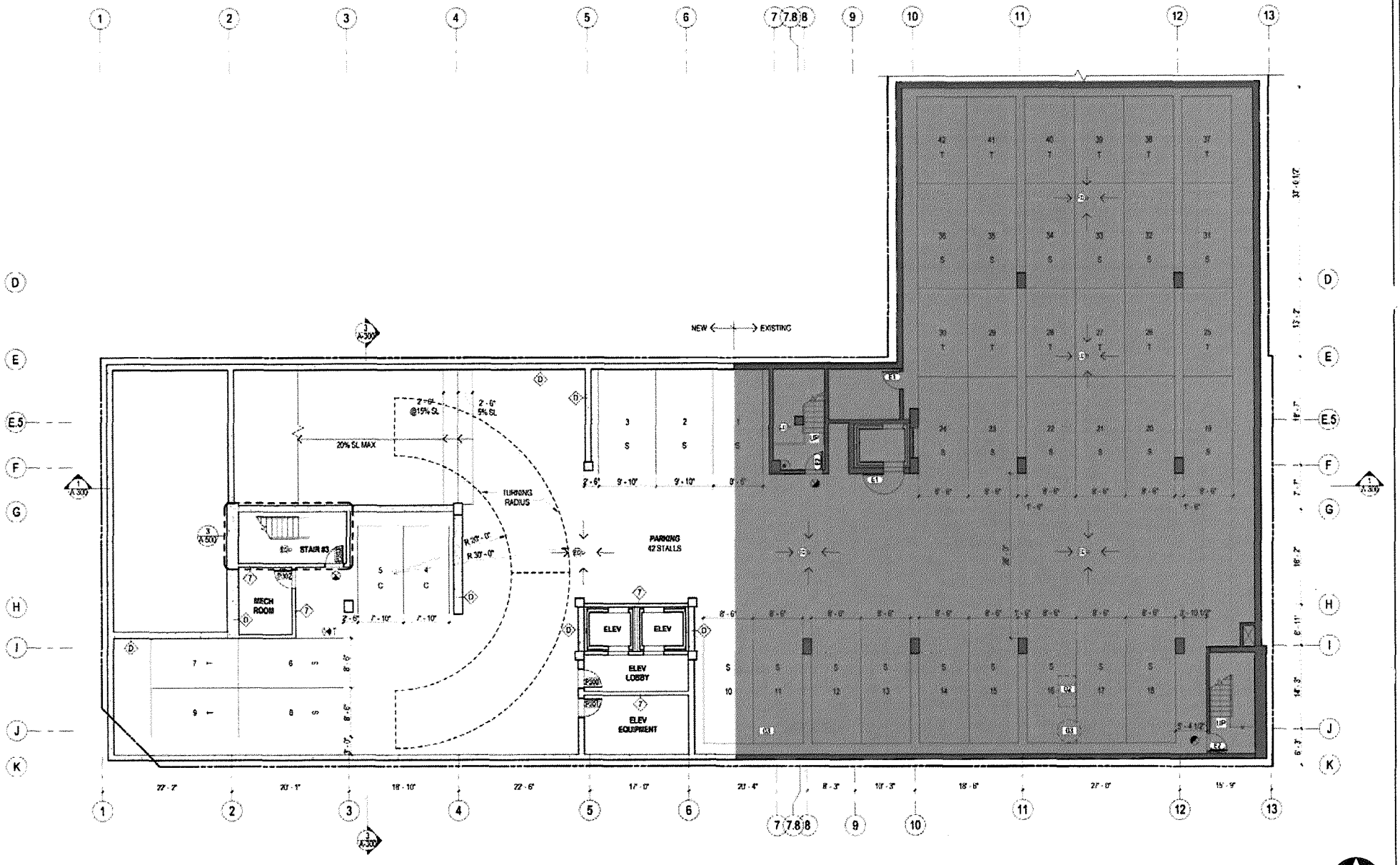
Source: CAJA Environmental Services, LLC, 2015.



Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

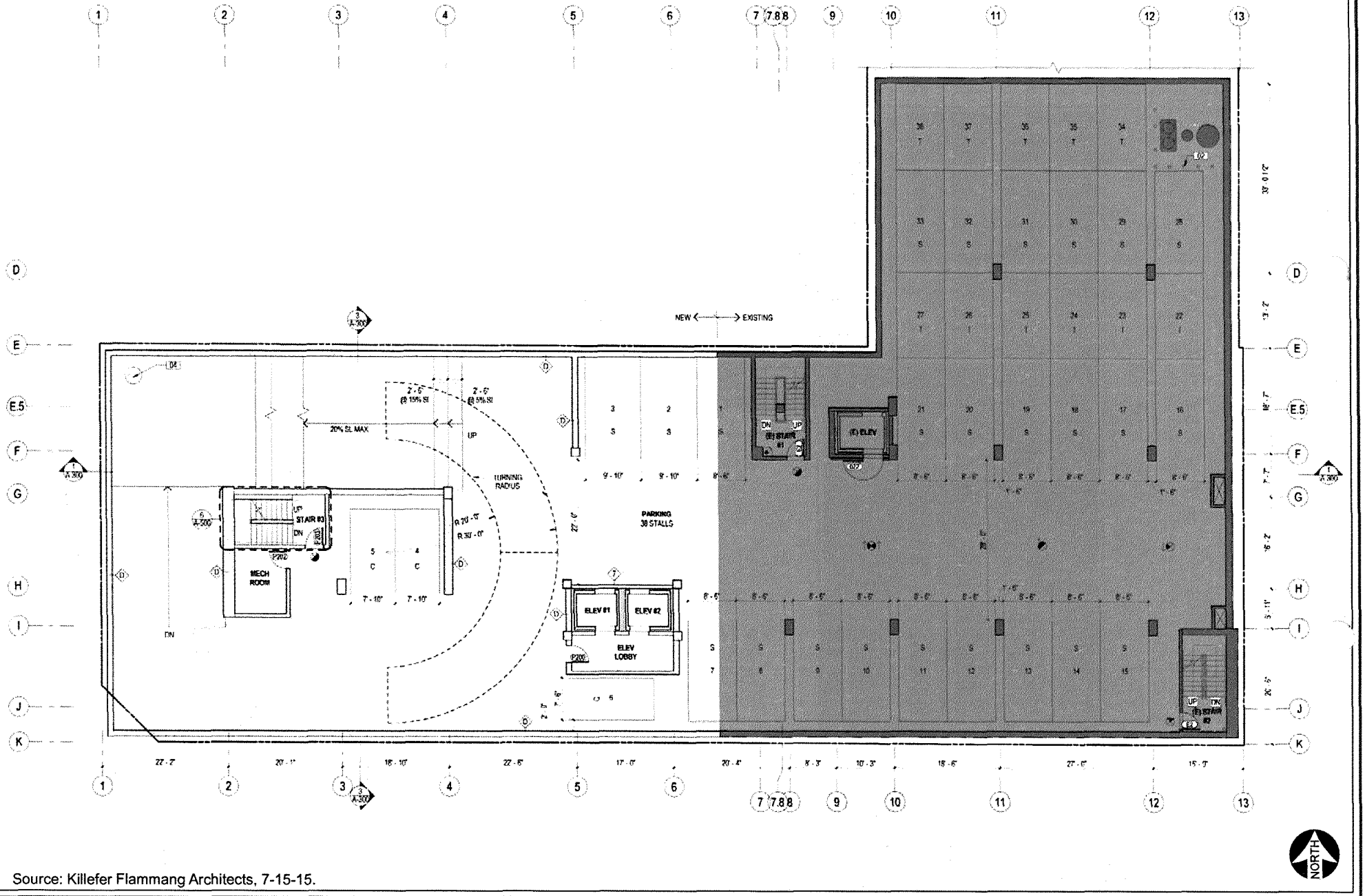
Figure 2-4
Site Plan



Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

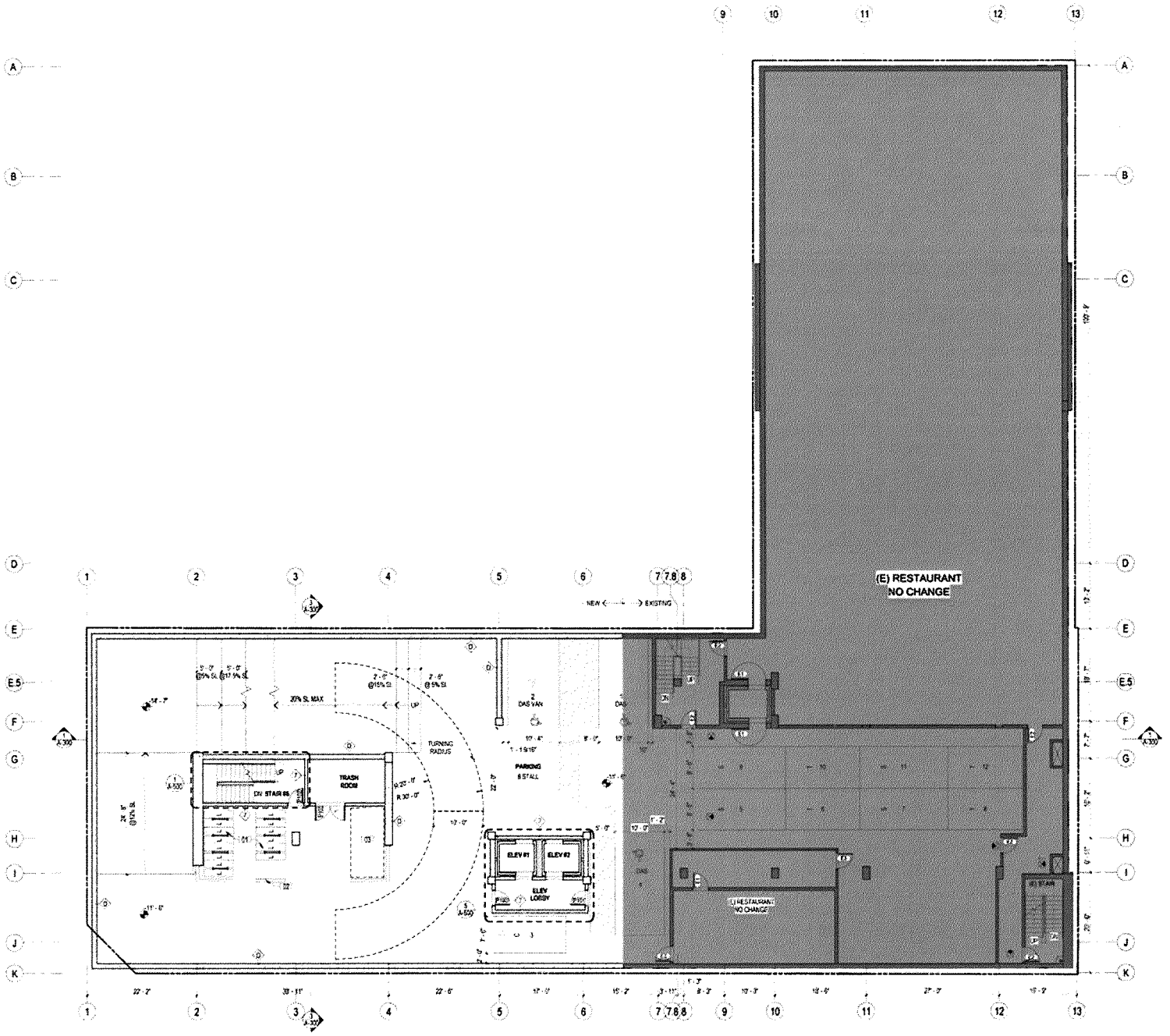
Figure 2-5
Level P3 Plan



Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

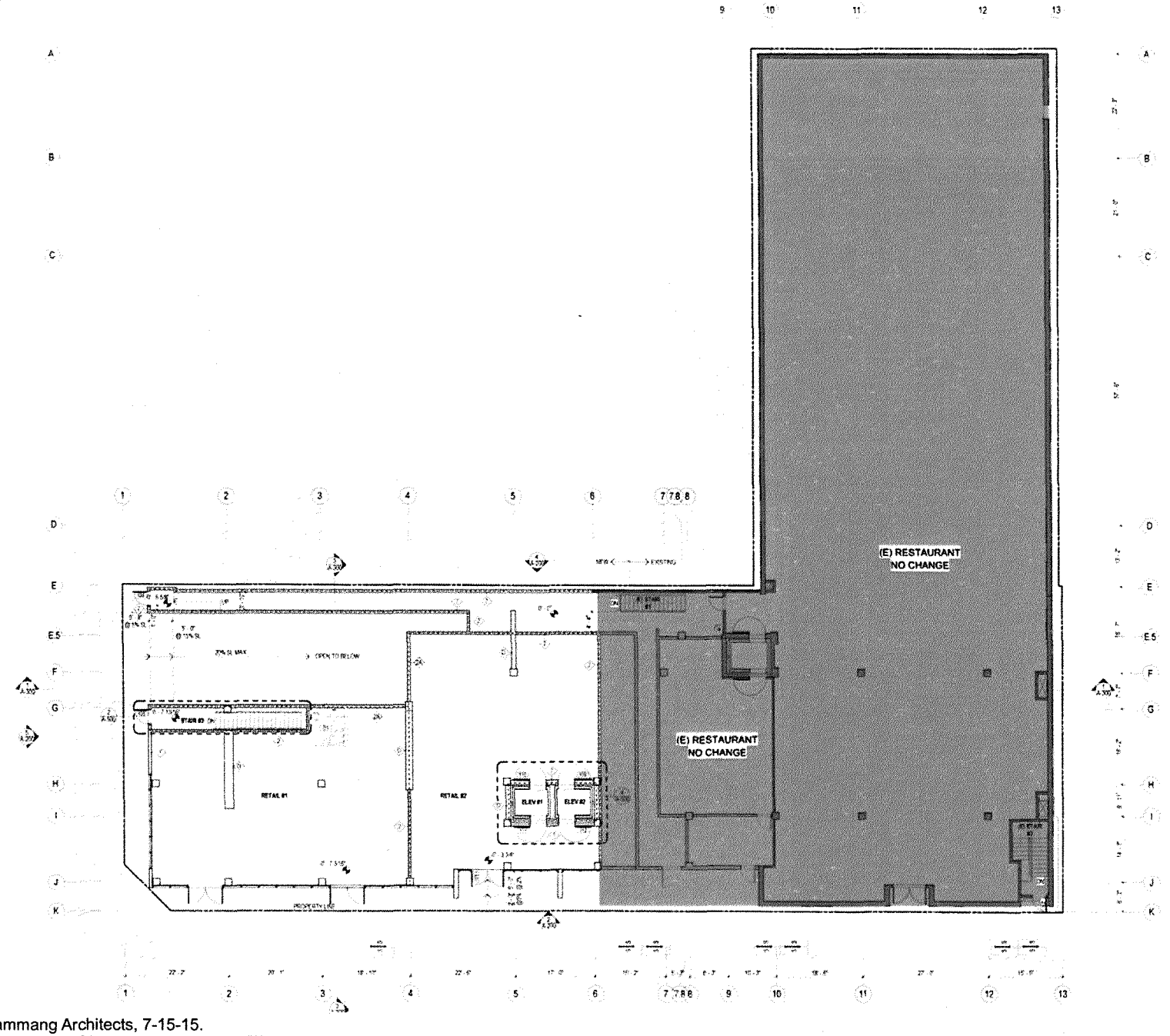
Figure 2-6
Level P2 Plan



Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

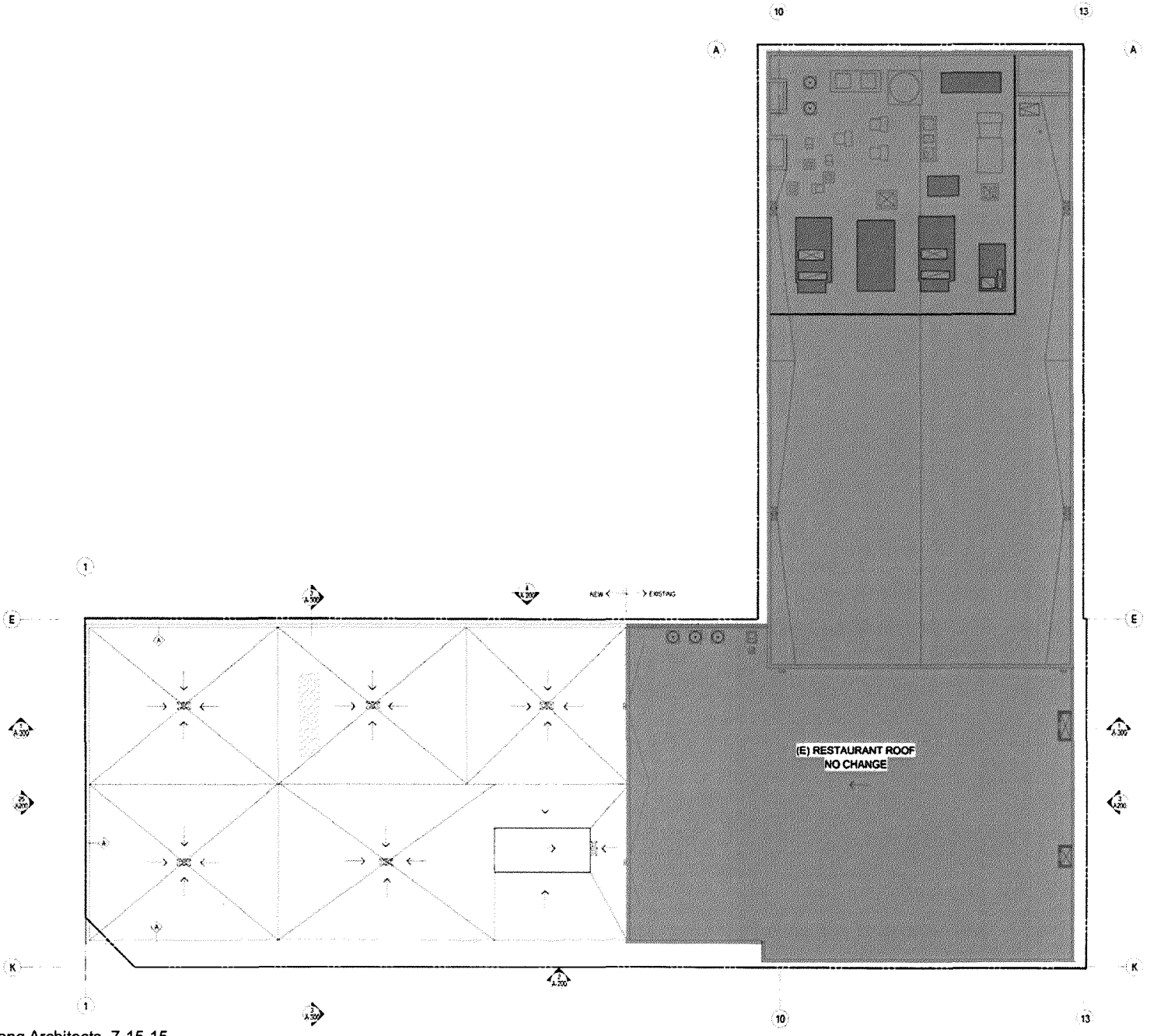
Figure 2-7
Level P1 Plan



Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

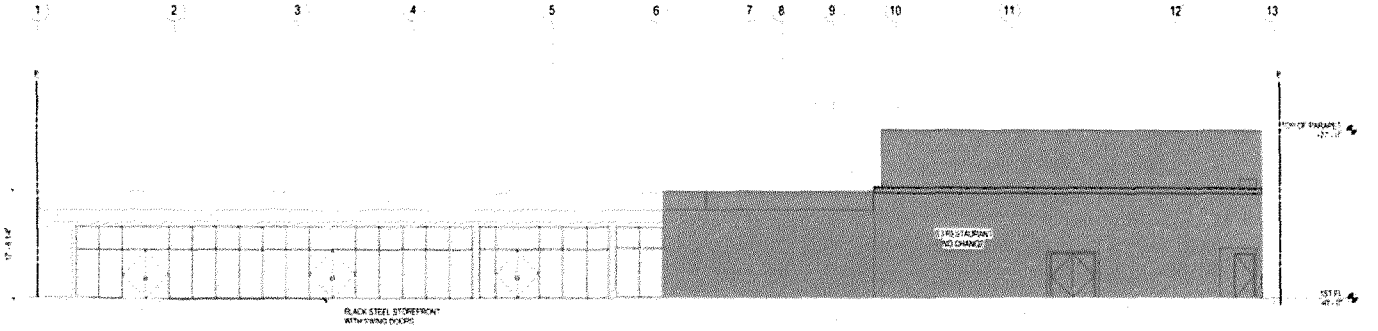
Figure 2-8
First Floor Plan



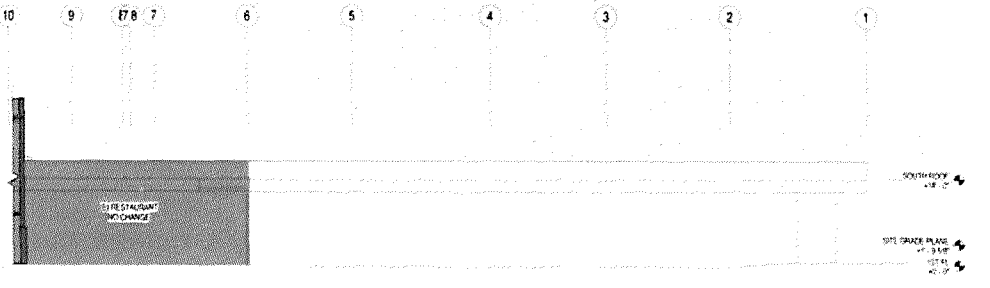
Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

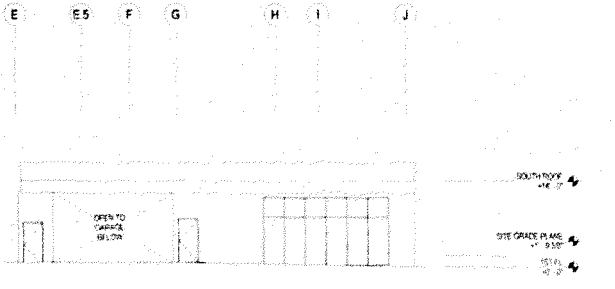
Figure 2-9
Roof Plan



SOUTH ELEVATION



NORTH ELEVATION

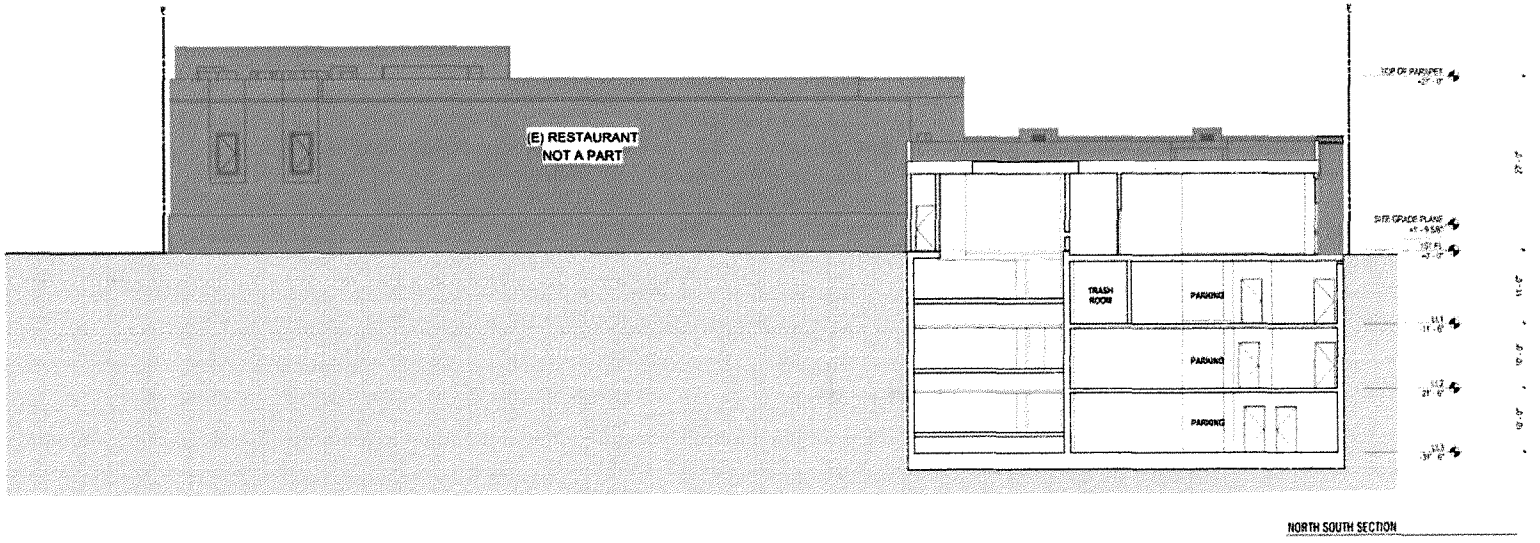


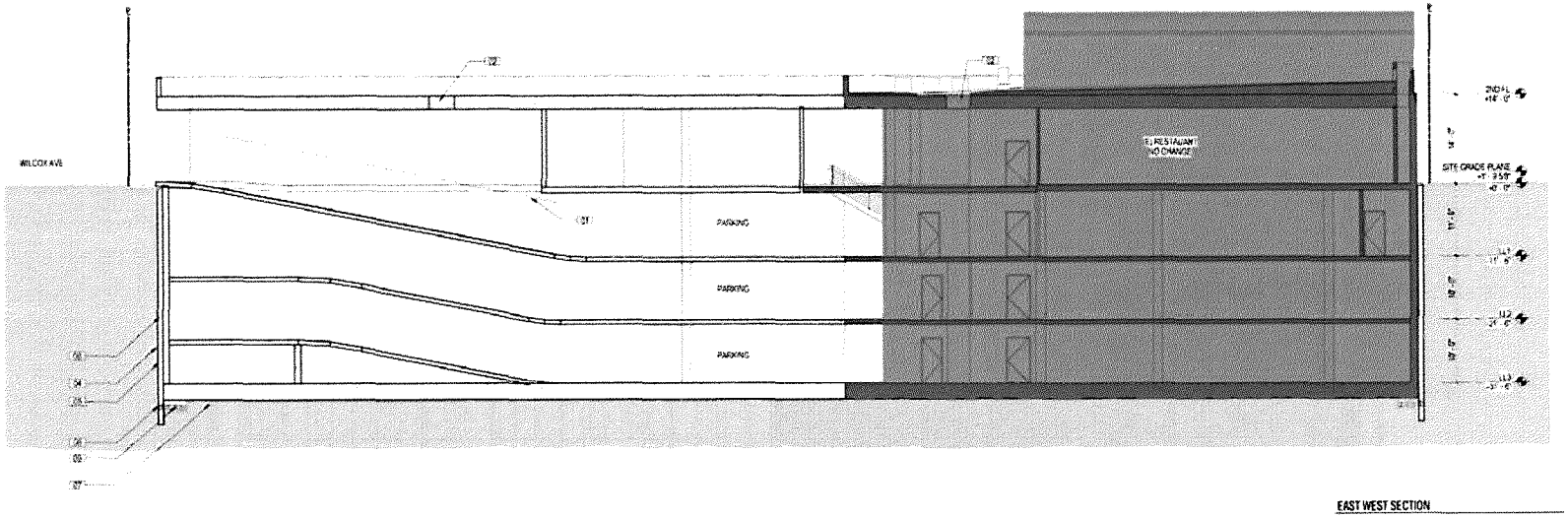
WEST ELEVATION

Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

Figure 2-10
Elevations





NORTH

Source: Killefer Flammang Architects, 7-15-15.

CAJA Environmental Services, LLC

Figure 2-11
Sections

DEPARTMENT OF CITY PLANNING

RECOMMENDATION REPORT

City Planning Commission

Date: June 14, 2018
Time: After 8:30 A.M.*
Place: Los Angeles City Hall
Council Chambers, Room 340
200 North Spring Street
Los Angeles, CA 90012

Public Hearing: **March 28, 2018**
Appeal Status: Vesting Zone Change and Height District Change is appealable only by the applicant to City Council if disapproved in whole or in part. Conditional Use, Zoning Administrator's Adjustment, and Site Plan Review appealable to City Council.
Expiration Date: June 14, 2018
Multiple Approval: Yes

Case No.: CPC-2016-2601-VZC-HD-CUB-ZAA-SPR
CEQA No.: ENV-2016-2602-MND
Incidental Cases: N/A
Related Cases: VTT-74406; ZA-2015-2671(CUB)
Council No.: 13 – O'Farrel
Plan Area: Hollywood
Specific Plan: N/A
Certified NC: Central Hollywood
Zone: C4-2D
Proposed Zone: (T)(Q)C2-2D

Applicant: Selma Wilcox Hotel, LLC

Representative: Alfred Fraijo, Jr., Sheppard Mullin, Richter, & Hampton

PROJECT LOCATION: **6421-6429 ½ West Selma Avenue and 1600-1604 North Wilcox Avenue**

PROPOSED PROJECT: The continued maintenance of a 20,624 square-foot ground floor restaurant and the construction of a new 1,939 square-foot ground floor restaurant and a 114 guest room hotel over three levels of subterranean parking. The proposed building would have a height of 88 feet and seven and a half inches to the top of the parapet, with eight stories and 79,878 net square feet of floor area. The proposed 1,939 square-foot restaurant would have a maximum of 100 seats (60 indoor and 40 outdoor seats). The hotel would have a lobby bar with 48 seats and the rooftop would include a pool amenity deck with a bar/lounge area with a maximum of 187 seats, and other accessory uses. No change is proposed for the existing 20,624 square-foot restaurant. The Project proposes to provide 52 parking spaces on-site within the subterranean structure and 37 parking spaces off-site to be accessible via a valet service.

REQUESTED ACTION:

1) Pursuant to Section 21082.1(c)(3) of the California Public Resources Code and Section 15162 of the CEQA Guidelines, consider the environmental analysis and Mitigated Negative Declaration in Case No. ENV-2016-2602-MND;

2) Pursuant to LAMC Section 12.32 F and Q, a Vesting Zone and Height District Change from C4-2D to (T)(Q)C2-2D;

3) Pursuant to LAMC Section 12.24 W,1, a Conditional Use Permit for the on-site sale and dispensing of a full line of alcoholic beverages incidental to a 1,939 square-foot restaurant with 100 seats (60 indoor and 40 outdoor) and throughout a 114 guest room hotel including the ground floor lobby bar with 48 seats, in-room mini-bars, and a rooftop amenity deck with bar/lounge area with a maximum of 187 seats;

4) Pursuant to LAMC Section 12.28, a Zoning Administrator's Adjustment to permit a 10-foot northerly side yard and a 19-foot easterly rear yard in lieu of the required 11-foot side yard and 20-foot rear yard pursuant to LAMC Section 12.14 C,2 and 12.11 C,2 and 3; and

5) Pursuant to LAMC Section 16.05, Site Plan Review for the construction, use, and maintenance of 50 or more guest rooms.

RECOMMENDED ACTIONS:

1) **Find**, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2602-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **FIND** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **FIND** the mitigation measures have been made enforceable conditions on the project; and **ADOPT** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;

2) **Approve and Recommend** that the City Council adopt a **Vesting Zone and Height District Change** from C4-2D to (T)(Q)C2-2D;

3) **Approve** a **Conditional Use** for the on-site sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operations of a 1,939 square-foot restaurant with 100 seats (60 indoor and 40 outdoor seats), and 114 guest room hotel including the ground floor lobby bar with 48 seats, in-room mini-bars, and a rooftop amenity deck with bar lounge area with a maximum of 187 seats, and pursuant to LAMC Section 12.24 S, up to a 20 percent reduction in the required parking;

4) **Approve** a **Zoning Administrator's Adjustment** to permit a 10-foot northerly side yard and a 19-foot easterly rear yard in lieu of the required 11-foot side yard and 20-foot rear yard;

5) **Approve** the **Site Plan Review** for the construction, use, and maintenance of 50 or more guest rooms.

6) **Adopt** the attached Conditions of Approval;

7) **Adopt** the attached Findings; and

8) **Advise** the applicant that, pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that mitigation conditions are implemented and maintained throughout the life of the project and the City may require any necessary fees to cover the cost of such monitoring; and

VINCENT P. BERTONI
Director of Planning

Charles J. Rausch
Principal City Planner

Nicholas Hendricks
Senior City Planner

May Sirinopwongsagon, Hearing Officer
(213)978-1372

ADVICE TO PUBLIC: *The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to the *Commission Secretariat, Room 532, City Hall, 200 North Spring Street, Los Angeles, CA 90012* (Phone No. 213-978-1300). While all written communications are given to the Commission for consideration, the initial packets are sent to the week prior to the Commission's meeting date. If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agendized herein, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to these programs, services and activities. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or other services may be provided upon request. To ensure availability of services, please make your written request not later than seven (7) working days in advance of the meeting to: per.planning@lacity.org.

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Exhibit C – Related Cases: VTT-74406, ZA-2015-2671(CUB)

Exhibit D – Environmental: ENV-2016-2602-MND and Mitigation Monitoring Program

Exhibit E – Public Comments and Applicants Response

PROJECT ANALYSIS

Project Summary

The Project proposes to develop the L-shaped Project Site, located at the northeast corner of Selma Avenue and Wilcox Avenue, by maintaining the existing 20,624 square-foot building located on the northeastern portion of the site and to construct a new 59,254 square-foot building located primarily on the western portion of the site. The Project would include completing construction on a partially constructed subterranean structure for parking.

The existing 20,624 square-foot building is occupied by a restaurant located on the ground level and within a portion of the first subterranean level of parking. The proposed Project does not include any changes to the operations of the existing restaurant. The proposed construction of the 59,254 square-foot building would consist of a 1,939 square-foot ground floor restaurant and a 114 guest room hotel. While the proposed building will be located primarily on the western portion of the site, a portion of the building will be constructed over the existing one-story building along Selma Avenue.

Project Application

The project application was submitted to the Department of City Planning on July 22, 2016 with a request for a Vesting Zone Change, Height District Change, Conditional Use, and Site Plan Review. Additionally, the applicant filed Case No. VTT-74406 for a Vesting Tentative Tract map for the purposes of a merger and resubdivision into one master ground lot and six air space lots. The application was reviewed and deemed complete for processing on March 22, 2017. As the proposed Project involves the development of guest rooms and does not include residential dwelling units, it is not subject to the provisions of Measure JJJ.

On March 28, 2018 a joint public hearing was held by the Advisory Agency and a Hearing Officer on behalf of the City Planning Commission for Case Nos. VTT-74406 and CPC-2016-2601-VZC-HD-CUB-ZAA-SPR. At the joint public hearing, the Advisory Agency held Case No. VTT-74406 under advisement in order to review materials submitted to the record from the public. On April 3, 2018, the applicant's representative submitted a request to withdraw Case No. VTT-74406. On May 29, 2018, the Advisory Agency issued a letter acknowledging the requested withdrawal of Case No. VTT-74406 and that the matter has been received and filed.

Background

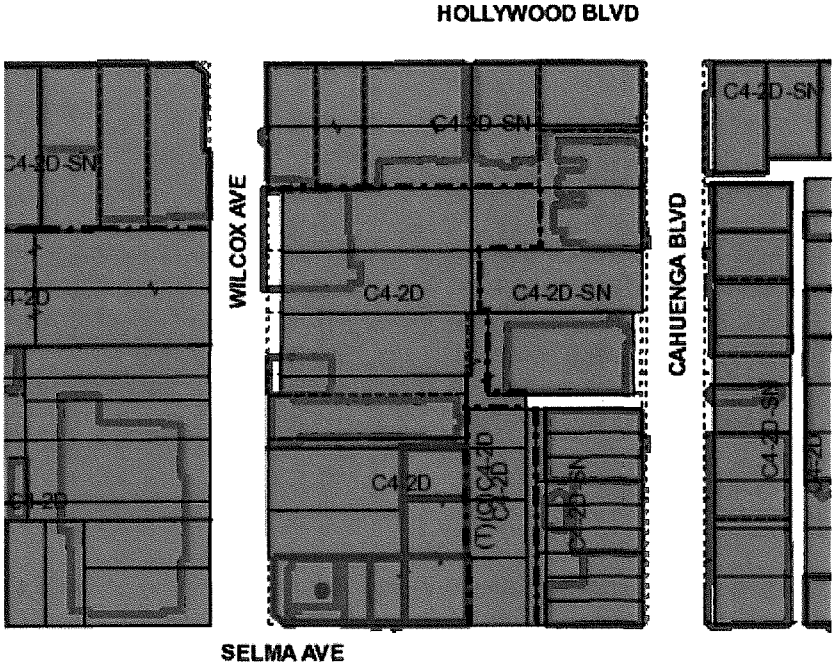
The Project Site is located within the Hollywood Community Plan with a land use designation of Regional Center Commercial. The site is zoned C4-2D and is subject to the Development Limitations (D Limitations) contained within Ordinance No. 165,660. The D Limitation restricts the total floor area that may be constructed on a lot and further provides a process to permit additional floor area subject to the review and approval by the City Planning Commission and the Community Redevelopment Agency (CRA/LA) Board. The Project's total floor area and requested Height District Change are further discussed below under Issues.

The site is located within the CRA/LA Hollywood Redevelopment Project Area, Adaptive Reuse Incentive Area, Transit Priority Area, and the Los Angeles State Enterprise Zone.

Existing Development

The Project Site is an L-shaped site with 65 feet of frontage along the western side of Wilcox Avenue and approximately 200 feet of frontage along the northern side of Selma Avenue. The

northeastern portion of the site extends 185 feet to the north, midblock between Wilcox Avenue and Cahuenga Boulevard, as shown in the map below.



On August 6, 2015, the applicant submitted an application to request a Conditional Use to permit the sale of a full line of alcoholic beverages in conjunction with the operations of a proposed 20,624 square-foot restaurant. The project as proposed in the application, Case No. ZA-2015-2671(CUB), and as evaluated in the Mitigated Negative Declaration (MND) for the project, Case No. ENV-2015-2672-MND, was for a proposed 20,624 square-foot restaurant, 6,000 square feet of ground floor retail, and three levels of subterranean parking. On March 18, 2016, the Zoning Administrator adopted ENV-2015-2672-MND and approved ZA-2015-2671(CUB). As no appeals were filed, the approval became final on April 4, 2016.

At the time of application submittal, the northeastern portion of the Project Site was an excavated area and the western portion of the site was developed with ground floor commercial uses and four residential dwelling units. Currently, the northeastern portion of the site is developed with the 20,624 square-foot restaurant and a partially constructed subterranean structure. The buildings located on the western portion of the site have been demolished and the area has been excavated.

Proposed Project

The Project proposes to maintain and continue the operations of the existing 20,624 square-foot restaurant located on the northeastern portion of the site and to complete construction of the partially constructed subterranean parking. As previously discussed, the western portion of the site was previously analyzed as 6,000 square feet of ground floor retail space to be located over the subterranean parking structure. The current proposed Project would change the use of the previously analyzed 6,000 square-foot space to a 1,939 square-foot ground floor restaurant. The restaurant is proposed to have 60 interior seats and 40 outdoor seats along Selma Avenue and Wilcox Avenue, with hours of operation between 6:00 a.m. to 2:00 a.m. Live entertainment is proposed as part of the operations of the restaurant.

The remaining 4,061 square feet of the previously analyzed 6,000 square-foot area would be developed as a lobby for the proposed 114 guest room hotel. The hotel lobby would include a bar and seating area that could accommodate up to 48 seats. The hotel would include amenities on the rooftop such as a pool, amenity deck, and rooftop bar and lounge. The proposed use of the rooftop would be able to accommodate up to 187 seats and is proposed to be open to hotel guests and the public. When the Project was originally submitted, the proposed bar and lounge seating area was outdoors. However, after discussions with the Los Angeles Police Department, the rooftop plans have been revised to incorporate a rooftop structure which would permit 964 square feet of the bar and lounge area to be enclosed with retractable doors. The proposed building would be eight stories, inclusive of the proposed rooftop deck amenities and enclosed bar and lounge area. The building would have a total floor area of 79,878 net square feet, or a 3.7:1 FAR.

The Project proposes to complete the construction of the three levels of subterranean parking on the western portion of the Project Site. The proposed parking would serve to provide a portion of the required parking for the existing restaurant and the proposed restaurant and hotel. Vehicular access to the subterranean parking would be located along Wilcox Avenue, with the primary valet drop off and pick up located along Selma Avenue. The Project is required to provide a total of 113 parking spaces prior to utilizing by-right bicycle parking reductions. After utilizing permitted bicycle parking reductions, the Project would be required to provide 89 automobile parking spaces. The Project proposes to provide 52 parking spaces within the subterranean parking structure and to provide up to 37 parking spaces off-site at 1541 North Wilcox Avenue. The provided parking is required for the existing restaurant and the proposed restaurant and hotel. In consideration of the site's location to the a number of public transit options and the availability of ride-share options, it is recommended that the City Planning Commission consider further reducing the required parking by 20 percent pursuant to LAMC Section 12.24 S, provided that the reduction of required parking occurs to the parking proposed to be located off-site.

Sustainability

As conditioned, the Project would be required to provide for the installation of wiring for the future installation of EV Chargers for 20 percent of the parking spaces provided on-site, and the installation of EV Chargers for immediate use for 5 percent of the parking spaces provided on-site. Additionally, the Project is conditioned to install solar panels equivalent to 10 percent of the rooftop area of the eight-story building.

Surrounding Area

Properties in the general vicinity of the Project Site have a land use designation of Regional Center Commercial and are zoned either C4-2D, C4-2D-SN, (T)(Q)C4-2D, or (T)(Q)C2-2D. The immediately adjacent property to the north is developed with a surface parking lot and a three-story hotel. The immediately adjacent property to the east is developed with a ten-story, 120 guest room hotel. To the south, across Selma Avenue, the properties are developed with commercial uses such as a walk-in medical clinic and surface parking lot. To the west, across Wilcox Avenue, the property is developed with the United States Post Office.

The Project Site is located approximately 700 feet west of the Selma Avenue Elementary School. A letter dated March 26, 2018 was received from the Los Angeles Unified School District (LAUSD). The letter indicated potential concerns regarding traffic/transportation and pedestrian safety impacts during the construction of the Project due to the site's proximity to the Selma Avenue Elementary School. The MND prepared for the Project identified these concerns as a potential impact and incorporated a mitigation measure requiring that the developer and contractors maintain ongoing contact with the administrator of the school and that pedestrian and bus routes would be maintained in a safe manner. The mitigation measure has been incorporated as part of the recommended Conditions of Approval.

Streets and Circulation

Selma Avenue is a designated Local Street - Standard, dedicated to a width of 60 feet and is improved with roadway, curb, gutter, and sidewalk.

Wilcox Avenue is a designated Modified Avenue III, dedicated to a width of 65 feet at the Project Site's frontage and is improved with roadway, curb, gutter, and sidewalk.

Relevant Cases

Subject Property:

Case No. VTT-74406: On May 29, 2018, the Advisory Agency issued a letter acknowledging the applicant's request to withdraw the requested vesting tentative tract map for the merger and resubdivision of the Project Site into one master ground lot and six airspace lots and terminated all future proceedings.

Case No. ZA-2015-2671(CUB): On March 18, 2016, the Zoning Administrator approved a Conditional Use for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a new 20,624 square-foot restaurant with limited live entertainment located at 6421 West Selma Avenue.

Surrounding Properties:

Case No. CPC-2016-3750-VZC-HD-MCUP-SPR and VTT-74521: Pending application for the construction, use, and maintenance of a new 11-story commercial building with 168 guest rooms and a 4,028 square foot restaurant at 1600-1608 N Schrader Boulevard (6533 W Selma Avenue).

Case No. CPC-2016-270-VZC-HD-CUB-SPR: On May 12, 2017, the City Council denied the appeal and adopted the Vesting Zone Change and Height District Change to (T)(Q)C2-2D for the construction of an eight-story, approximately 95-foot tall, 79,621 square-foot mixed-use building consisting of a 212 guest-room hotel with guest amenities located at 6516-6526 West Selma Avenue.

Case No. CPC-2014-3706-ZC-HD-ZAA-SPR: On February 3, 2016, the City Council adopted a zone and height district change and approved in part and denied in part an appeal in conjunction with a proposed 200 room hotel located at 1523-1541 North Wilcox Avenue.

Case No. CPC-2007-3931-ZC-HD-CUB-CU-ZV-SPR: On November 20, 2008, the City Council adopted a zone change and height district change to (T)(Q)C4-2D for the construction of a ten story, 73,814 square-foot hotel located at 6415 West Selma Avenue. On September 17, 2008, the City Planning Commission approved a Conditional Use for the sale of alcoholic beverages, live entertainment, and public dancing, a Variance to permit the consumption of food and beverages on the 8th floor and rooftop area, and deviations from parking design requirements, and Site Plan Review.

Case No. ZA-2014-3016(CUB)(ZV): On January 29, 2015, the Zoning Administrator approved a Conditional Use for the sale and on-site consumption of alcoholic beverages and a Zone Variance for the a rooftop sign in conjunction with the operations of a hotel located at 6500 West Selma Avenue.

Public Hearing and Communications

A joint public hearing on this matter with the Advisory Agency and Hearing Officer was held at City Hall on Wednesday, March 28, 2018. Communication was received from the public with comments regarding the timing and review of the Project, including the CEQA analysis, as well as concerns regarding alcohol sales and use of the rooftop. Comments and concerns have been discussed as part of the Issues. For a summary of the Public Hearing, see Page P-1, for communication received from the public see Exhibit E.

Issues

Analysis of the previously proposed and current Project

On July 21, 2015, the applicant submitted a request for a Conditional Use, Case No. ZA-2015-2671(CUB), for the sale of a full line of alcoholic beverages in conjunction with the operations of a proposed 20,624 square-foot restaurant, to be known as Tao Restaurant. At the time of submittal, the restaurant was proposed as part of a re-development of the site that would include the restaurant and a 6,000 square-foot ground floor retail space located on the western portion of the site. The proposed building would be located over three levels of subterranean parking. While the restaurant is located primarily on the ground level, a portion of the restaurant is located in the first subterranean level of the parking structure. Although the applicant was seeking a Conditional Use for the sale of alcoholic beverages, the proposed main uses were permitted uses on the site, which is zoned C4-2D. While permits for the grading and construction of the site were issued prior to the application being filed with the Department of City Planning, the MND prepared for the project, Case No. ENV-2015-2672-MND, analyzed the potential impacts for construction of the proposed project, as well as the entirety of the grading required for the subterranean structure. The analysis found that the potential impacts could be mitigated to a less than significant level and the mitigation measures were incorporated as enforceable conditions as part of the approval of Case No. ZA-2015-2671(CUB). As previously mentioned, the approval was not appealed and became effective on April 4, 2016.

Project Comparison		
	Previous Project	Current Project
Restaurant	20,624 square feet	20,624 square feet
Retail	6,000 square feet	
Second Restaurant	-	1,939 square feet
Hotel	-	53,254 square feet, 114 guest rooms
Subterranean Parking	3 levels, 32,000 cubic yards	3 levels, 32,000 cubic yards

On July 22, 2016, the applicant submitted the current application, Case No. CPC-2016-2601-VZC-HD-CUB-ZAA-SPR, for the current proposed Project. The Project would maintain the 20,624 square-foot restaurant and the subterranean parking structure, and convert the previously analyzed 6,000 square-foot retail space into two uses. Of the 6,000 square feet, 1,939 square feet would be changed to a ground floor restaurant with indoor and outdoor seating and the remaining 4,061 square feet would be converted into the lobby of a proposed hotel. The proposed hotel would be located primarily on the western portion of the site, although a portion of the building would be constructed over the existing restaurant. As currently proposed, the Project in its entirety would be eight stories with a maximum floor area of 79,878 square feet or a 3.7:1 Floor Area Ratio (FAR). In order to address concerns raised regarding the change in the scope of the project which was previously analyzed as part of Case No. ENV-2015-2672-MND, the MND prepared for the current proposed Project analyzes the potential impacts of the Project from two

different baselines. As discussed in the MND, Case No. ENV-2016-2602-MND, the Project is analyzed against two baselines referred to as the Original Baseline and Current Baselines:

1. Original Baseline: The Original Baseline is the Project Site as it existed prior to the buildout of the development analyzed in the MND related to the CUB approval (ENV-2015-2672-MND), and contains an excavated area, an existing 3,174 square-foot restaurant, an existing 1,650 square-foot piano bar, and an existing 4,893 square-foot building with vacant retail space on the ground floor and four residential units on the second floor.

2. Current Baseline: The Current Baseline includes the development contemplated in the Adopted MND. This development, as currently constructed, includes the following: a 20,624 square-foot quality restaurant and a partially constructed, three level subterranean structure on the eastern portion of the Project Site, and an excavated area, on the western portion of the Project Site that would be the 6,000 square feet of retail and remaining portion of the three-level subterranean structure contemplated in and to be constructed in accordance with the Adopted MND. The existing restaurant, on the eastern portion of the site, has an above grade height of 27 feet. As further detailed below under Construction Information, all the demolition, excavation, and construction of the Approved Project have been analyzed and mitigated in the Adopted MND.

Supplemental studies were prepared to analyze the proposed Project from both baselines and it was determined that impacts of the Project from either baseline could be mitigated to a less than significant level. The mitigation measures have been incorporated as part of the recommended Conditions of Approval.

Floor Area – Hollywood Redevelopment Plan and Development "D" Limitation

The site is located within the boundaries of the CRA/LA Hollywood Redevelopment Plan area. The Hollywood Redevelopment Plan (HRP) area was established and adopted by the City of Los Angeles in 1986. The HRP, which is implemented by the CRA/LA, was intended to accelerate economic growth in the Hollywood area and to help regulate and plan for future development in the area.

In 1990, after the adoption of the first HRP, the City Council adopted Ordinance No. 165,660 as part of the General Plan Consistency program. The Ordinance established D Limitations for the Project Site and surrounding areas, limiting development to a by-right maximum of 2:1 FAR. The existing D Limitations permits the following: an increase in floor area could be permitted if the CRA/LA Board found that the project a) conformed to (1) the Hollywood Redevelopment Plan, (2) a Transportation Program adopted by the Community Redevelopment Agency Board pursuant to 518.1 of the Redevelopment Plan, (3) the Hollywood Boulevard District urban design plan as approved by the City Planning Commission adopted by the CRA Board pursuant to Sections 501 and 506.2.1 of the Hollywood Redevelopment Plan; and, if applicable, (4) any Designs for Development adopted pursuant to Section 503 of the Redevelopment Plan; and b) a Disposition and Development Agreement or Owner Participation Agreement has been executed by the Community Redevelopment Agency Board; and the Project is approved by the City Planning Commission, or the City Council on appeal, pursuant to the procedures set forth in Municipal Code Section 12.24-B.3.

The HRP was later amended and adopted by the City in 2003, and no action was taken by the City to amend the D Limitations that were adopted in 1990. The HRP discusses maximum permitted densities within designated Regional Centers, as well as prescribes a process for the CRA/LA to review and approve projects which seek an FAR of 4.5 or greater, not to exceed 6:1. Projects which have an FAR between 4.5:1 and 6:1 are required to receive approval from the City Planning Commission and the CRA/LA Board. As the Project would have a total FAR of 3.7:1,

less than the stated 4.5:1 FAR, no Owner Participation Agreement or Development Agreement is required from the CRA/LA and CRA approval is not required for the increase in FAR.

The recommended D Limitation would permit a maximum 3.7:1 FAR consistent with the Hollywood Community Plan and would not amend any provisions of the CRA/LA HRP.

Hotel Density

As proposed, the 21,610.7 square-foot site would include the development of a hotel with 114 guest rooms. Pursuant to LAMC Section 12.22 A,18, uses permitted within the R5 Zone may be permitted on properties that are zoned CR, C1, C1.5, C2, C4, or C5 when located on a lot which is in an area designated on an adopted community plan as "Regional Center" or "Regional Commercial." While the R5 Zone has a minimum requirement of one dwelling unit per 200 square feet of lot area, it is silent on the minimum lot area requirement for guest rooms. As defined by LAMC Section 12.03, a dwelling unit contains habitable rooms which would include a kitchen, where as a guest room would not include a kitchen. The Project does not contain any dwelling units as defined by LAMC Section 12.03. In 2009, the Zoning Engineer of the Department of Building and Safety further clarified in the Zoning Code Manual v. April 2015 (Section 12.12C4) that the R5 Zone has no lot area regulation for guest rooms based on the fact that the Code's omission on the density requirement specific to hotels is not in error. The Project Site has a land use designation of Regional Center Commercial, as designated by the adopted Hollywood Community Plan. Pursuant to LAMC Section 12.22 A,18, the existing C4 Zone and requested C2 Zone would permit development of the site with R5 uses, including the provisions related to hotels and guest rooms. The density for guest room would be limited primarily by the maximum floor area permitted by the Height District and compliance with applicable minimum square-footage Building Code regulations for habitable rooms.

Rooftop Amenities and Outdoor Bar and Lounge - Noise

As previously discussed, the Project proposes to utilize the rooftop of the hotel for amenities such a pool and rooftop bar and lounge that would be open to hotel guests and the public. No kitchen is proposed as part of the operations of the rooftop bar and lounge; however, dining may be offered as an ancillary service to the operations. Food service would be provided by the kitchen located on the ground floor of the hotel. The C4 Zone permits the use of the rooftop for amenity purposes; however, the Zone does not expressly permit outdoor eating or dining above the ground floor. The C2 Zone, on the other hand, permits the use of the rooftop for amenity purposes and allows for outdoor eating or dining to occur above the ground floor per ZAI 1808. While the Project does not propose to have an Outdoor Eating Area, as defined by LAMC Section 12.03, the applicant has requested a Vesting Zone Change from the C4 Zone to the C2 Zone to address any potential ambiguity regarding the classification of the ancillary food and drink service.

The applicant does propose to provide ambient music, as well as limited live entertainment on the rooftop. Ambient music and live entertainment is permitted in an outdoor setting in either the C4 or C2 Zone provided that it is in compliance with the regulations pertaining to noise. While it is recognized that there are existing noise regulations in place to address noise impacts, the operations of an outdoor rooftop bar and lounge within the area have raised concerns from members in the community and the Los Angeles Police Department (LAPD). As identified in the MND, the Project includes a Project Design Feature which would require a minimum six-foot high glass or heavy plastic safety wall to be installed around the perimeter of the rooftop deck area. Additionally, the applicant has revised the design of the bar and lounge seating area so that a portion of it will be covered and would have retractable doors. This would permit the space to be closed when live entertainment would occur. As recommended, the Conditions of Approval contain conditions which would addressing the design and operations of the rooftop to address concerns regarding the operations of the rooftop area.

Sale of Alcoholic Beverages

The requested Conditional Use for the sale of a full line of alcoholic beverages is for the proposed 1,939 square-foot ground floor restaurant and the proposed hotel. The existing restaurant would continue to operate pursuant to the conditions of approval of Case No. ZA-2015-2671(CUB). For informational purposes, the existing restaurant was approved to operate between the hours of 11:00 a.m. and 2:00 a.m. daily, with a maximum of 24 special events a year. Ambient music, including a single DJ, was approved as part of the daily operations provided that it was hosted by restaurant and not a third party promoter. Other forms of live entertainment was approved on the condition that applicant notified and received approval from LAPD Hollywood Vice Division at least 14 days in advance. All activity would occur indoors, as the restaurant does not have any outdoor eating areas.

The proposed 1,939 square-foot restaurant proposes to have a total of 100 seats, including 60 indoor and 40 outdoor seats. A portion of the outdoor seats may be located within the public right-of-way and would be required to receive and approved revocable permit from the Bureau of Public Works. The restaurant proposes to have hours of operation from 6:00 a.m. to 2:00 a.m. and proposes live entertainment. The proposed alcohol sales and consumption would be an ancillary service to the food service of the restaurant. The proposed hotel has requested to be permitted to serve and consumption in following three locations:

1) Lobby Bar – up to 48 indoor seats, with live entertainment and hours of operation from 6:00 a.m. to 2:00 a.m.
2) Mini-Bar – located within the proposed 114 guest rooms
3) Rooftop Bar and Lounge – up to 129 outdoor seats and 58 indoor seats, with ambient music outdoors and live entertainment within the enclosed area and hours of operation from 6:00 a.m. to 2:00 a.m.

Professional Volunteers Program (PVP)

On August 15, 2017, the Project was presented to the Professional Volunteers Program (PVP). Generally, the proposed design of the building was well received. Comments included that the proposed use of glass and brick was appropriate for the area. Planning staff raised concerns regarding the circulation between the proposed uses and the volunteer panel concurred that the proposed restaurant and hotel lobby could be configured differently to allow for improved circulation. In response to the PVP's comments, the applicant revised the site plan and internal circulation between the two proposed uses.

Conclusion

Based on the public hearing and information submitted to the record, staff recommends that the City Planning Commission approve and recommend adoption of the Vesting Zone Change and Height District Change from C4-2D to (T)(Q)C2-2D, and approve the Conditional Use Permit for the sale of a full line of alcoholic beverages, Zoning Administrator's Adjustment for a reduced side and rear yard, and Site Plan Review. Additionally, staff recommends that the City Planning Commission find, based on its independent judgement, after consideration of the entire administrative record, that the project was environmentally assessed under ENV-2016-2602-MND for the above referenced project.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

1. Responsibilities/Guarantees.

   a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

   b. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

2. Dedication(s) and Improvement(s).

   a. Dedication. A minimum 20-foot radius property line return or a 15-foot by 15-foot property line cut corner be dedicated at the intersections of Selma Avenue and Wilcox Avenue adjoining the site.

   b. Improvements. Improve Selma Avenue and Wilcox Avenue adjoining the site by the reconstruction of the existing concrete sidewalks to complete full-width concrete sidewalks including the corner radius cuts with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.

3. Bureau of Street Services, Urban Forestry: Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

   Note: All protected tree removals and removal of trees located within the public right-of-way must be approved by the Board of Public Works. Contact Urban Forestry Division at 213-847-3077

4. Bureau of Street Lighting: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; one (1) on Wilcox Avenue.

5. Department of Transportation. **Department of Transportation.** Driveway Access and Circulation shall be reviewed and approved with Citywide Planning Coordination Section (201 North Figueroa Street, Room 550, at 213-482-7024). New driveways should be a Case 2 – designed with a recommended width of 30 feet for wo-way operations. Delivery truck loading and unloading should take place on site with no vehicles having to back into the project via the proposed project driveway, or as approved by the Department of Transportation and Department of Building and Safety.

6. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.

(Q) QUALIFIED CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Uses.** The uses on the subject property shall be limited to the C2 Zone, pursuant to LAMC Section 12.14, except that Automotive Uses shall be prohibited.

2. **Development.** The use and development of the subject property shall be in substantial conformance with the site plan, floor plan, elevations, and renderings labeled Exhibit "A" dated June 1, 2018. Minor deviations may be allowed in order to comply with provisions of the Municipal Code.

"D" DEVELOPMENT CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development Limitations.

1. **Height.** The height of all buildings and structures, except for mechanical and other rooftop equipment, on the subject property shall not exceed 89 feet from the proposed grade, as shown in Exhibit "A" stamp dated June 1, 2018, excluding the parapet.

2. **Floor Area.** The total floor area of all buildings or structures located on a lot shall not exceed a Floor Area Ratio (FAR) of 3.7:1.

CONDITIONS OF APPROVAL

Pursuant to Section 12.24-W,1, 12.28, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

A. Development Conditions:

1. **Site Plan.** The use and development of the property shall be in substantial conformance with the illustrative site plan, floor plans, elevations, and renderings labeled Exhibit "A", dated June 1, 2018, except as may be revised as a result of this action.

2. **Density.** A maximum of 114 guest rooms may be permitted.

3. **Rooftop.**

   a. The covered bar and lounge area indicated on the roof plan stamped Exhibit "A", shall designed to be able to be fully enclosed with noise-attenuating features (physical as well as operational) by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.

   b. Prior to the issuance of a Certificate of Occupancy, the sound levels shall be measured consistent with the procedures in LAMC Section 111.02. Documentation of the measurements shall be submitted to the Department of City Planning for the file.

   c. A minimum six (6) foot high glass wall shall be installed around the perimeter of the rooftop deck.

4. **Parking.**

   a. Automobile parking spaces shall be provided pursuant to LAMC Section 12.21-A,4 and may be reduced utilizing bicycle parking replacement. Automobile parking may further be reduced by up to 20 percent, provided that the reduction is applied to parking provided off-site.

   b. Bicycle parking spaces shall be provided pursuant to LAMC Section 12.21-A,4 and 16, as effective on March 13, 2013.

   c. Electric Vehicle Parking. The Project will include at least 20 percent (20%) of the total code-required parking spaces, provided on-site, capable of supporting future electric vehicle supply equipment (EVSE). Plans will indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design will be based upon Level 2 or greater EVSE at its maximum operating ampacity. Five percent (5%) of the total code required parking spaces, provided on-site, will be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or 5 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" will be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

5. **Drop off/Pick Up.**

   a. If valet service is used a copy of the contract with the valet company shall be submitted to the Department of City Planning demonstrating that valet service is made available to customers/guests of the petitioner(s). If valet service is implemented the petitioner(s) will additionally be required to provide the Department of City Planning with information pertaining to the valet rates or cost of valet service as it relates to customers utilizing said service. The availability of valet parking/service shall be made known to the public via the restaurant menu or hotel brochure, a posting of the information on readily visible locations in the hotel lobby and the hotel restaurant and on any hotel or hotel restaurant website.

   b. A drop off/pick up area may be designated off-site, within the area of the subject property's street frontage, for hotel guests and patrons of establishments on site.

   c. The drop off/pick up areas shall be subject to the review and approval from the Department of Transportation. The approved plan shall be submitted to the Department of City Planning for the file.

6. **Landscaping/Hardscape.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A.

   a. Tree Wells.
      i. The minimum depth of tree wells located on a podium or rooftop shall be as follows:
         1. Minimum depth for trees shall be 42 inches
         2. Minimum depth for shrubs shall be 30 inches.
         3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
         4. Minimum depth for an extensive green roof shall be 3 inches.

      ii. The minimum amount of soil volume for tree wells on a podium or rooftop shall be based on the size of the tree at maturity:
         1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
         2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
         3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

   b. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise required by the Urban Forestry Division, Bureau of Public Works.

   c. A minimum three (3) foot wide landscape planter, with a minimum depth of 42 inches, shall be installed around the perimeter of the rooftop, except where there is rooftop structure or other enclosed structure located at the perimeter of the building.

7. **Irrigation.** The Project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by DWP in consultation with DCP.

8. **Solar Panels.** The project shall install the equivalent of 10 percent of the rooftop of the eight-story building, or 595 square feet, of solar panels as part of an operational photovoltaic system to be maintained for the life of the project.

9. **Light.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

10. **Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

11. **Construction Generators.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.

B. <u>Alcohol Related Conditions</u>:

12. Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with:

    a. the operations of a 1,939 square-foot restaurant which may have a maximum of 100 seats (60 indoor and 40 outdoor seats). Outdoor seating located within the public right-of-way shall obtain a revocable permit prior to the issuance of a permit.;

    b. the operations of a 114 guest room hotel within:

        i. the hotel lobby bar, which may have a maximum of 48 seats;
        ii. "mini-bars" located within the hotel guest rooms;
        iii. the rooftop outdoor bar and lounge and covered lounge, with a maximum of 187 seats.

13. Hours of operation approved herein are as follows:

    a. the 1,939 square-foot restaurant: 6:00 a.m. to 2:00 a.m., daily;

    b. the hotel lobby bar: 6:00 a.m. to 2:00 a.m., daily;

    c. the rooftop bar and lounge.

        i. Outdoor patio areas: 7:00 a.m. to 12:00 a.m. (Midnight), daily

        ii. Enclosed patio area: 7:00 a.m. to 2:00 a.m., subject to the following:

        The doors to the rooftop's covered bar and lounge area shall be kept closed from 12:00 a.m. through 2:00 a.m. Only the front door and southern-facing patio door of the enclosed area shall be used for access. All other exterior doors shall be kept closed during this time other than to permit emergency egress. All exterior doors shall be solid; no screen or ventilated materials are permitted.

        When the enclosed bar and lounge doors or windows are open between 7:00 a.m. and 12:00 a.m., any music, sound, noise, or vibration shall not be audible or felt beyond that part of the premises which is under the control of the applicant.

The doors to the rooftop's covered bar and lounge area shall be closed whenever live entertainment, including DJs, and/or amplified music is played in the indoor area.

d. After-hour use of the facilities, other than routine clean-up and maintenance is not permitted.

14. Restaurant.

a. The 1,939 square-foot ground floor restaurant shall operate as a bona-fide restaurant, with its kitchen open for all hours of restaurant operations and food shall be available during all such hours. Customers of all ages shall be permitted during all hours of operations.

b. The exterior windows and glass doors of the hotel premises/ground floor restaurant and bar/lounge areas shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.

15. Age Verification.

a. Electronic age verification device(s) shall be retained and installed on the premises at each point of sale location and available for use during operational hours. The device shall be maintained in an operational condition and all employees shall be instructed in its use prior to the sale of any alcoholic beverage.

b. Hotel Guest Room Mini-Bars. The hotel manager(s) shall require proof of identification and age for all registered guests at check-in. Rooms where the registered guest is under twenty-one years of age, or where the age of the guest cannot be determined, shall have their in-room liquor cabinet disabled and locked if any such lockers are provided in the room

16. Live Entertainment:

a. Restaurant. Live entertainment, amplified music, or ambient music may be permitted indoors within the 1,939 square-foot restaurant and the outdoor seating area.

b. Hotel.

i. Live entertainment, amplified music, or ambient music may be permitted within the within the hotel lobby and enclosed rooftop bar and lounge area.

ii. No live entertainment or amplified music shall be permitted in any patio or outdoor areas, including the outdoor rooftop patio or bar and lounge area. Ambient music may be permitted.

c. Live entertainment is subject to any required permits to be reviewed and approved by the Los Angeles Police Commission, as applicable. Live entertainment may include but not be limited to live bands, a DJ or karaoke, provided the latter is not conducted in private rooms.

d. Any ambient or amplified music, sound, vibration or noise emitted that is under the control of the petitioner(s) shall not be audible or otherwise perceivable beyond the subject premises. Any sound, vibration or noise emitted that is under the control of the

petitioner which is discernible outside of the subject premises shall constitute a violation of Section 116.01 of the Los Angeles Municipal Code, including any loud, unnecessary or unusual noise that disturbs the peace and quiet of any neighborhood or that causes discomfort. The establishment will make an effort to control any unnecessary noise made by restaurant/hotel staff or any employees contracted by the restaurant or bar facilities located within the hotel facility, or any noise associated with the operation of the establishment, or equipment of the restaurants.

e. No Dance Hall or Hostess Dance Hall, as defined by LAMC Section 12.03, use shall be permitted without the approval of a Conditional Use Permit pursuant to LAMC Section 12.24 W,18. Patron Dancing is not permitted nor shall the Petitioner(s) accommodate or endorse dancing features in any fashion.

f. There shall be no pool table or billiards table, electronic games, coin-operated games, dart games, or video machines maintained upon the premises at any time.

17. A "Free Designated Driver Program" shall be implemented in which "FREE Non-Alcoholic Beverages" will be offered to the designated drivers: such as coffee, tea, or sodas approved by the Zoning Administrator. An explanation of the program shall be printed on the restaurant menus and/or made known to patrons via a two-sided card placed on all restaurant tables. Information pertaining to the "Designated Driver Program" shall additionally be detailed on the hotel website or page and/or any social media account dedicated to the hotel/hotel restaurant operations.

18. Security. Between the hours of 8:00 p.m. and 2:30 a.m., the applicant shall provide a minimum of two (2) security guards in the ground floor hotel restaurant on Thursdays, Fridays and Saturdays.

    During the hours of 8:00 p.m. and 2:30 a.m., the applicant shall provide a minimum of three (3) security guards in the rooftop enclosed bar/lounge area and in the outdoor rooftop patio areas, daily.

    In addition to the security guard requirements delineated above, the applicant shall be required to provide a minimum of three (3) security guards on the premises during the all hours of hotel operation. The additional security employment required per this provision for the ground floor restaurant and bar/lounge areas as well as the rooftop bar/lounge area, will be employed in addition to and in enhancement of the three security guards who are mandated to be employed on the hotel premises during all hours of operation.

    The security guards shall not have any other activities other than those that are security related. Security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.

19. Admission and Third Party Promoters.

    a. The applicant/operator shall not require an admission or cover charge. Any advertising of an admission charge or cover is prohibited.

    b. The applicant shall not sublet the premises to outside "promoters" for nightclub or concert activity. Private parties hosted by the hotel or future operators of the ground floor dining area and rooftop bar/lounge, in which general public are excluded from the entire ground floor bar, lounge, outdoor courtyard and dining areas or the entire rooftop

area are permitted provided that an appropriate one-day permit is submitted for approval to LAPD and ABC.

c. The facility shall not be leased or contracted out to third party promoters that will require a cover charge or prepayment for admission to the facility for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.

d. At no time shall any form of membership card or compensation be a pre-requisite for admission to the facility at large unless the applicant is featuring a special event which has received prior written approval from the Hollywood Vice Office to commence in conjunction with the operation of the subject premises.

20. There shall be no Adult Entertainment of any type pursuant to Section 12.70 of the LAMC. Any proposed Adult Entertainment shall be subject to the requirements of Section 12. 70 and require the filing of the appropriate application.

21. Partitions separating booth/dining areas in the ground floor and rooftop restaurants and bar/lounge areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booth/dining areas within the interior space for the facility that restrict, limit, or obstruct the clear observation of the occupants.

22. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in the premises, nor shall the licenses provide, permit, or make available either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customers.

23. No loitering on the premises, public way adjacent to the premises, or property adjacent to the premises over which the applicant has control.

24. The applicant shall be responsible for maintaining free of litter, the premises and the area adjacent to the premises over which they have control. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.

25. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.

26. The applicant / hotel operator / restaurant operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:

a. Posted at the entry, and the cashier or customer service desk,

b. Provided to the immediate neighbors, schools, and the Neighborhood Council, and

c. Responded to within 24-hours of any complains/inquires received on this hotline.

27. Petitioner(s) shall install and maintain security cameras and a three-month DVR/video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The DVRs shall be made available as required by law.

28. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Director's designee shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Director's Designee may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.

29. The approved conditions shall be retained on the premises at all times and produced upon request of the Police Department, the Department of Building and Safety or City Planning. All licenses, permits and conditions shall be posted in a conspicuous location at the facility. Additionally, copies of the ABC operating conditions and conditional use permit conditions shall be provided to all employees working in the facility. Establishment employees are required to be knowledgeable of the establishment operating conditions and shall sign a document acknowledging that they have read and understood all of the ABC and conditional use permit conditions. Said acknowledgment form(s) shall be maintained at the location by the operator and/or manager who shall present the document(s) to Police Department personnel, ABC Investigators or any other City agency upon request.

30. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s), Valet Company service(s), and the property owner.

31. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.

32. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

33. The business operator and/or the operator's agents shall comply with California Labor Code Section 6404.5(c) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment.

34. **Prior to the beginning of operations**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Department of City Planning. The statement shall state,

We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with the retail store, known as [OPERATION NAME], and agree to abide and comply with said conditions.

A copy of the conditions of this letter of determination, business permit and insurance information shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control.

35. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

36. The applicant(s) shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.

37. **MViP – Monitoring, Verification and Inspection Program.** At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

38. Within 30 days of the effective date of the Department of Alcoholic Beverage Control license, and within 30 days of the effective date of any modification or alteration of terms of said license, the applicant shall transmit a copy of the valid Department of Alcoholic Beverage Control license to the Department of City Planning for attachment to the case file.

C. Environmental Conditions:

39. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the hotel street level and to keep unpermitted persons from entering the construction area.

40. **Public Services (Police).**

a. The plans shall incorporate a design that references the "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the LAPD. These measures shall be approved by the LAPD prior to the issuance of building permits.

b. Public Services (Police). Upon completion of the Project, the LAPD Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.

41. **Construction Traffic Control/Management Plan.** A construction work site traffic control plan shall be submitted to DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction-related traffic shall be restricted to off-peak hours.

42. **Transportation Demand Management and Monitoring Program.**

a. The Applicant shall prepare and submit a preliminary Transportation Demand Management Plan (TDM) to the Department of Transportation prior to the issuance of the first building permit for the Project. A final TDM shall be submitted and approved by the Department of Transportation prior to the issuance of the first certificate of occupancy for the project.

The TDM shall include strategies, as determined to be appropriate by the Department of Transportation, which would have a minimum ten (10) percent effectiveness in reducing new vehicle trips.

In the event that the Project would provide twenty (20) or more required parking spaces off-site, the TDM shall demonstrate a minimum twenty (20) percent effectiveness in reducing new vehicle trips.

b. In the event that the Project would provide twenty (20) or more parking spaces off- site and is required to implement a TDM which has a minimum twenty (20) percent effectiveness in reducing the total net project trips, a Monitoring Program (MP) shall be prepared to provide continued monitoring of the TDP's effectiveness. The MP shall be prepared by a licensed Traffic Engineer and submitted to the Department of Transportation for review. The MP shall continue until such time that the Project has shown, for three consecutive years, at a minimum of 85 percent occupancy, achievement of the peak hour trip volume requirements listed. Should the review show that the peak hour trip cap threshold has been exceeded the Project shall have one year to attain compliance or be subject to a penalty program.

Implementation of the TDM shall be at the Project's expense.

Strategies may include, but shall not be limited to, the following:

1. Provide guest assistance on arrival and departure to find options to personal or rented vehicles to access the site.

2. If found feasible by LADOT and Metro, improve the existing bus stop on the north side of Hollywood Boulevard east of Wilcox Avenue where there is an existing sign, bench and trash receptacle with a weather protected cover. Improve the bus stop

on the south side of Hollywood Boulevard west of Cahuenga Boulevard where a bus sign only with a bench, trash receptacle, weather protected cover and bench. Improve the bus stop on the north side of Sunset Boulevard west of Wilcox Avenue where a bus sign, a bench, and trash receptacle with a weather protected cover;

3. Provide a visible on-site kiosk with options for ridesharing, bus routes and bike routes in a prominent area(s) in view for hotel guests, employees and patrons of the restaurants;

4. Provide information for guests of the hotel upon check in that includes the transit, bike routes, and nearby walking opportunities as options to use rather than person vehicles;

5. Provide an on-site TDM manager to assist hotel guests navigate the alternative modes of transportation options, in matching rideshare partners for the employees, determining transit routes for employees, and promoting TDM program;

6. Provide access pass and transit pass reductions for employees;

7. Provide bicycle spaces to encourage cycling as an alternative to single occupant vehicles;

8. Provide bicycle sharing service for guests and employees use;

9. Provide amenities to encourage guests of the hotel spend some of their time eating, relaxing and recreating on-site.

43. **Transportation (Pedestrian Safety).** The developer and contractors shall maintain ongoing contact with administrator of Selma Elementary School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (213)580-2950 or (213)580-2900 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

D. <u>Administrative Conditions</u>

44. **Approvals, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

45. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

46. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a

copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

47. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

48. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

49. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

50. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

51. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

52. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)

e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

NOTE TO THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC)

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grants, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales

and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

They may include those identified during hearing testimony, received as part of correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- All service of alcoholic beverages shall be conducted by a wait person or bartender.
- The alcoholic beverage license for the restaurant shall not be exchanged for a public premises type license nor operated as a public premises.
- There shall be no service, sales or possession of an alcoholic beverage on any abutting private property area not under the immediate control of the applicant/facility operator with the exception of the approved patio/outdoor dining areas.
- Bottle and/or Table service involving the distribution of distilled spirits shall be prohibited during regular restaurant/hotel operations and is only permitted during special events that have been authorized by the Los Angeles Police Department. "Buckets" of beer and portable bars are prohibited. There shall be no "Minimum drink" required of patrons. In addition, there shall be NO sales of table(s) and/or seating where alcoholic beverages are in any way included in the sale cost of the seating. The sale of poolside cabanas and lounge chairs may be permitted in conjunction with the restrictions set forth above related to alcohol sales.
- "Happy Hour" is permitted between the hours of 4:00 pm and 8:00 pm, daily. There may be no more than a fifty percent discount on alcoholic beverages.
- The quarterly gross sales of food shall not exceed the gross sales of alcohol. The business operator shall maintain records which reflect these numbers and make them available to the Police Department of the California State Department of Alcoholic Beverage Control upon request.

FINDINGS

General Plan/Charter Findings (Charter Section 556)

1. **General Plan Land Use Designation.** The Project Site is located within the Hollywood Community Plan, adopted by the City Council on December 13, 1988. The site has a land use designation of Regional Center Commercial, as designated on the plan map. The Regional Center Commercial land use designation lists the following corresponding zones: C2, C4, P, PB, RAS3, and RAS4. The site is currently zoned C4-2D and is subject to the Development "D" Limitations contained within Ordinance No. 165,660, adopted in 1990. The Community Plan indicates within the footnotes that development intensity is limited to 4.5:1 FAR and a maximum of 6:1 FAR with the approval from City Planning Commission. Additionally, the Framework Element characterizes designated Regional Centers as having a range of FARs from 1.5:1 to 6:1. The proposed Project will have a maximum 3.7:1 FAR. The recommended Vesting Zone and Height District Change would permit commercial uses that are consistent with the established entertainment district and encourage the future growth of the Hollywood Center.

2. **General Plan Text.** The Hollywood Community Plan text includes the following relevant objectives:

   Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

   Objective 4: To promote economic well-being and public convenience through:

   a. Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

   Policy: The focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street. The Hollywood Center is included in the Hollywood Redevelopment Project area as adopted in May 1986. This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region. Future development should be compatible with existing commercial and development, surrounding residential neighborhoods, and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area.

   The Project Site is located within the Hollywood Center, which is an established commercially developed, entertainment center. The proposed Project would develop the underdeveloped and underutilized site, with a new eight-story building. The site is currently developed with a one-story building and a partially constructed, three-level, subterranean parking structure on the northeastern portion of the site. The Project would maintain the existing building, complete construction of the subterranean structure on the western portion of the site, and construct an eight-story building which would be located primarily on the western portion of the site. A portion of the building would be constructed over the existing building along Selma Avenue. The existing building will continue to operate as a bona-fide restaurant and the proposed building would include a new ground floor restaurant and a 114 guest room hotel. As the Project Site is an L-shaped site located within a built urban environment, developing the site vertically has allowed for a more efficient use of the site

and permitted floor area. However, the existing C4 zone would limit the ability to utilize the site for certain commercial uses, whether services or amenities, that are compatible with the present and future development of the Hollywood Center. Uses, such as outdoor eating or dining, would be limited to the ground floor and entertainment related commercial uses are generally limited. The recommended C2 Zone would permit commercial uses that are compatible with the Hollywood Center and would promote the future development and improvement of the area. The recommended Height District Change would modify the existing D Limitations to permit a maximum FAR of 3.7:1 and would ensure that the development of the site is physically compatible with the existing and future development of the Hollywood Center.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project Site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

Regional Centers

GOAL 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

> Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

The Framework Element describes Regional Centers as having a range of FARs from 1:5:1 to 6:1, with buildings characterized by 6- to 20-stories (or higher). And are usually major transportation hubs. The Project proposes to develop the site with an eight-story building with three levels of subterranean parking. The building would have a total floor area of 79,878 net square feet, or a 3.7:1 FAR. As proposed the Project is consistent with the anticipated development of Regional Centers. The proposed 114 guest room hotel would provide an additional service and amenity in an area that is highly visited by tourist and business travelers. The site is located a block south of Hollywood Boulevard which is serviced by a number of bus lines as well as the Metro Red Line. The site is located between the Metro Red Line Hollywood/Cahuenga and Hollywood/Vine stations. The proximity to public transit would provide alternative transportation options for hotel guest to visit other regions. Additionally, the proposed restaurant and hotel lobby bar and rooftop bar and lounge provides an additional amenity for visitors to area. The establishment of the hotel, bar, lounges, and dining areas would also provide an increase in employment opportunities than the previously existing one-story commercial development. As such, the Project would meet the goals and objectives of the Framework Element to encourage the future development of the designated regional center and enhancement of the urban lifestyle.

4. **The Mobility Element.** The Project Site is located one block south of Hollywood Boulevard, which is serviced by the Metro Red Line, which began operating in stages between 1993 and 2000. The site is located to the west of the Hollywood/Highland stop and to the east of the Hollywood/Vine stop. In addition to the Metro Red Line, the site is serviced by a number of bus lines which operate along Hollywood Boulevard, Sunset Boulevard, and Highland Avenue. The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. Selma Avenue is a designated Local Street –

Standard, dedicated to a width of 60 feet and is improved with curb, gutter, and sidewalk. Wilcox Avenue is a designated Modified Avenue III, dedicated to a width of 65 feet at the Project Site's frontage and is improved with roadway, curb, gutter, and sidewalk. The Project has been conditioned to require compliance with dedication and improvement required by the Bureau of Engineering, which would be consistent with the Mobility Element. In addition to establishing Street Standards, the Mobility Element encourages "the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure" (Policy 5.4). The Project proposes to provide the required number of automobile parking spaces, while also utilizing reductions permitted by the Zoning Code, and from the City Planning Commission pursuant to LAMC Section 12.24 S. The Project has been conditioned to require that 20 percent of the required parking spaces provided on-site are to be wired for the installation of future EV chargers, and that 5 percent of the required parking spaces provided on-site are to be installed with EV chargers. As conditioned, the Project would be able to provide a service to local residents and employees in the area, while encouraging the use of low and zero emission fuel sources and the infrastructure to support it. Additionally, the Project would comply with existing Green Building codes, which were adopted to help facilitate the reduction of energy consumption.

5. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

6. **Health and Wellness Element and Air Quality Element.** Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As conditioned herein, the Project would be required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels to an operating photovoltaic system. The installation and operation of the solar panels would help to reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for the patrons of the Project and to minimize impacts on neighboring properties.

Entitlement Findings

7. **Zone Change and Height District Change Findings (Charter 558 and LAMC 12.32).**

   a. **Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The Project Site is comprised of five parcels located at the northeast corner of Selma Avenue and Wilcox Avenue within the Hollywood Community Plan area. The site has 65 feet of frontage along the western side of Wilcox Avenue and approximately 200 feet of frontage along the northern side of Selma Avenue. The northeastern portion of the site extends 185 feet to the north, midblock between Wilcox Avenue and Cahuenga Boulevard. The site has a land use designation of Regional Center Commercial and is zoned C4-2D. The Regional Center Commercial land use designation lists the following corresponding zones: C2, C4, P, PB, RAS3, and RAS4. The recommended Vesting Zone and Height District Change to (T)(Q)C2-2D would be consistent with the land use designation.

Public Necessity, Convenience, and General Welfare. The vesting zone and height district change to (T)(Q)C2-2D would enable the development of the subject site with a proposed ground floor restaurant and a 114 guest room hotel, while maintaining the operations of the existing restaurant. The Project would complete the construction of the subterranean parking structure and construct a new eight-story building over the western portion of the site, resulting in a building with a 3.7:1 FAR. The ground floor of the building would consist of a 1,939 square-foot restaurant and the lobby of the proposed eight-story hotel. The northeastern portion of the site would remain developed with the one-story building and subterranean structure, with a portion of the proposed building being constructed over it along Selma Avenue. While the C4 Zone would permit commercial uses, the types of commercial uses are limited and contain restrictive development standards. A typical amenity of a use such as a restaurant or hotel is an outdoor eating area. In a built urban environment, where physical constraints require buildings to be built vertically, the ability to have this type of amenity in the C4 Zone would be limited as it is only permitted on the ground floor. The ability to use the rooftop, or any floor above the ground floor, for this type of amenity would allow for improved site design at every level of the Project.

The Project Site is located within the Hollywood Center, a designated Regional Center, which has become an established commercial and entertainment district. The area is frequently visited by tourist and business travelers in the City. The development of a hotel and restaurant uses would provide an alternative location for visitors to stay and dine within the Hollywood Area. Additionally, the site's proximity to regional transit stations would improve accessibility to commercial and employment centers. The inclusion of ground floor restaurants and the rooftop bar and lounge, would provide an additional amenity and service for hotel guest, as well as the existing residents and employees, and visitors in the area.

Good Zoning Practice. The Hollywood Community Plan is intended to serve a number of purposes, including to guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; balance growth and stability; reflect economic potentials and limits, land development and other trends. As recommended, the vesting zone and height district change from C4-2D to (T)(Q)C2-2D would permit the development of a building with a floor area and height that is compatible with existing buildings, while permitting commercial uses that are consistent with the existing, and growing, commercial development in the Hollywood area. The Project Site is located one block to the south of Hollywood Boulevard and a block north of Sunset Boulevard. The site is partially developed with an existing restaurant on the northeastern portion of the site, is underdeveloped and underutilized when taken into consideration the proximity to public transportation and commercial district. The C2 Zone would permit additional commercial uses that are consistent with the existing entertainment district and the future growth of the district. While the C2 Zone would permit additional uses, the vesting zone change has been conditioned to prohibit uses which would not promote

the growth of the Hollywood Center as a commercial and entertainment center, as discussed in Finding No. 2. Future uses would be subject to the regulations of the zone, and would be required to obtain a conditional use, if applicable, prior to any change of use or authorization of a use. As such, uses which may be considered a nuisance for sensitive uses, such as residential development or schools, would be subject to discretionary review and conditioned appropriately if approved.

b. **Pursuant to Section 12.32-G and Q of the Municipal Code "T" and "Q" Classification Findings.** The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. The "T" Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

c. **Pursuant to Section 12.32-G,4(b) of the Municipal Code, D Limitation Findings. In establishing D limitations, the Council shall find that any or all the limitations are necessary: (1) to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood, and (2) to secure an appropriate development in harmony with the objectives of the General Plan, or (3) to prevent or mitigate potential adverse environmental effects of the Height District establishment or change.** The Project Site is currently zoned C4-2D and is subject to the D Limitations contained within Ordinance No. 165,660. The D Limitations limits the total floor area on a site to a 2:1 FAR. Additional floor area may be granted, up to 4.5:1, but no greater than 6:1, FAR; however, the additional floor area would have to be approved by the City Planning Commission and/or CRA/LA. The limitation is consistent with Footnote No. 9 of the Community Plan. Pursuant to the Zoning Code, Height District 2 permits a maximum 6:1 FAR, with no limitation on the height of the building in the recommended C2 Zone. The recommended D Limitation would limit the total FAR to 3.7:1, with a maximum height of 89 feet. Without the limitation, due to the site's physical constraints, the maximum 6:1 FAR would lead to a building which would be taller and incompatible with the surrounding properties. The limitation would ensure that the proposed development is physically compatible with the surrounding properties, which range from one to ten stories. The proposed limitations would permit the development of the project, as described in Finding Nos. 2 and 6.a, which would promote the objectives of the Hollywood Community Plan. As such the D Limitations would protect the best interest of and assure a development that is more compatible with the surrounding property or neighborhood and secure an appropriate development in harmony with the objectives of the General Plan.

8. **Conditional Use Findings.**

a. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The applicant is requesting a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages in conjunction within a proposed 1,939 square-foot ground

floor restaurant and within three locations of the proposed hotel. The proposed restaurant would have 60 indoor seats and 40 outdoor seats. Within the hotel, alcohol sales and consumption is proposed within the hotel lobby, "mini-bars" within the 114 guest rooms, and the rooftop bar and lounge area. The proposed restaurant and hotel would be developed primarily on the western portion of the L-shaped site located at the northeast corner of Selma Avenue and Wilcox Avenue. The northeastern portion of the site would remain developed with the existing restaurant, which was previously approved a Conditional Use, Case No. ZA-2015-2671(CUB), by the Zoning Administrator in 2016.

The site is located one block south of Hollywood Boulevard and one block north of Sunset Boulevard. The Project Site is located within a dense, urban environment, one block south of the Hollywood Boulevard Entertainment District. The surrounding areas are developed with residential uses, hotels, restaurants, and various retail and commercial uses. The proposed restaurant would provide an alternative service amenity in an area which is not only a vibrant international destination, but is developed with a number of businesses and residences. The proposed restaurant is anticipated to operate as a bona-fide restaurant with the proposed sale of alcoholic beverages anticipated to be incidental to food service. The proposed hotel will serve to provide temporary residency for tourist and business travelers within close proximity to commercial and employment centers, as well as regional servicing public transit. The request to sell alcoholic beverages within "minibars" is intended to serve as an amenity for hotel guest, accessory to the operations of the hotel. The proposed lobby bar and rooftop bar and lounge would serve hotel guests, as well as the general public. The sale and dispensing of alcoholic beverages is anticipated to be an incidental amenity for patrons of the operations. The operations of the proposed restaurant, hotel lobby bar and rooftop bar and lounge will provide an additional amenity for those who are employed or visiting the Hollywood area.

b. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

The Project Site is located within the Hollywood Community Plan and is located approximately one block south of the Hollywood Entertainment District. The site is presently developed with a restaurant and partially constructed parking structure on the northeastern portion of the site. The Project would complete construction of the subterranean parking structure in the excavated area on the western portion of the site and construct a new eight-story building. As proposed, the subterranean parking structure would accommodate up to 52 parking spaces. The Project proposes to provide up to 37 parking spaces off-site at 1541 North Wilcox Avenue. Parking on- and off-site would be serviced by valet, with a drop off/pick up area proposed along Selma Avenue. As previously discussed, the site is located within close proximity to the Metro Red Line and other forms of public transit. It is anticipated that patrons and guests of the Project would utilize public transit or other forms of ride-share services that would not require the parking of vehicles at the site. As such, pursuant to LAMC Section 12.24 S, the required number of spaces may be further reduced by 20 percent provided that the reduction occurs with the parking provided off-site.

The proposed building would include a 1,939 square-foot ground floor restaurant and a 114 guest room hotel with rooftop amenities such as a pool and rooftop bar and lounge area. As designed and conditioned, a minimum six-foot high glass wall would be installed along the perimeter of the rooftop area. The proposed restaurant and hotel will be

located within close proximity to Hollywood Boulevard, which is a developed with commercial and entertainment uses. However, there are existing multi-family developments within the area as well. The proposed operations of the rooftop and outdoor operations have been conditioned to limit live entertainment and amplified music, as well as the hours of operations of the outdoor areas. The conditions related to live entertainment, amplified and ambient music, and hours of operation, which were reviewed and recommended by the Los Angeles Police Department (LAPD), would prevent late night noise, ensuring that its operations will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Project Site is located within the Hollywood Community Plan with a land use designation of Regional Center Commercial. The site is not located within a specific plan. The site is presently developed as a one-story commercial building and partially constructed subterranean parking structure on the northeastern portion of the site. The recommended vesting zone change to (T)(Q)C2-2D would permit the construction of an approximately 89-foot tall, eight-story commercial building. The building would maintain the existing restaurant located on the northeastern portion of the site, and proposes a new 1,939 square-foot restaurant on the western corner of the site. The two restaurants would be separated by the lobby of the proposed 114 guest room hotel. As discussed in Finding No. 2, the Project would redevelop an underutilized site with uses that are compatible with the existing development in the surrounding area and would be in conformance with the objectives and policies of the Community Plan. The sale of a full line of alcoholic beverages in conjunction with the operations of the proposed restaurant and hotel, would be an added amenity for guests and patrons of the Project.

Additionally, the Project has been conditioned to require parking spaces to be constructed for the immediate installation and use of EV Chargers, as well as for future use, and for the installation of solar panels to an operating photovoltaic system. As such, the project is in substantial conformance with the General Plan and the Community Plan.

d. Additional required findings for the sale of alcoholic beverages:

i. The proposed use will not adversely affect the welfare of the pertinent community.

The Project proposes to develop the site with a new commercial building which would maintain the existing restaurant, and proposes to construct a new ground floor restaurant and an eight-story, 114 guest room hotel. The proposed restaurant is anticipated to operate as a bona-fide restaurant and the sale and dispensing of alcoholic beverages incidental to food service is a common amenity found with the operations of a restaurant. The proposed hotel would include rooftop amenities including a bar and lounge area, which would be partially covered. The request to serve alcoholic beverages within the guest rooms and as an incidental service within the lobby bar and rooftop bar and lounge is a common amenity that is found with the operations of a hotel. The Project Site is located within close proximity to Hollywood Boulevard, which is a commercially developed entertainment district. The proposed restaurant and hotel will be compatible with the range of commercial uses such as restaurants, nightclubs, theaters, retail, and other hotels. As conditioned, the proposed restaurant and hotel operations as it relates to the sale and dispensing of

alcoholic beverages have been conditioned as to not adversely affect the welfare of the pertinent community.

ii. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control licensing criteria, there are 3 on-site and 2 off-site licenses allocated to the subject Census Tract Number 1907.00, based on a population of 3,379. Within 1,000 feet of the subject site, there are currently 62 active licenses, including 59 on-site and 3 off-site licenses.

The number of existing on-site licenses within the census tract where the subject site is located exceeds ABC guidelines. Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The site is located within the Hollywood Community Plan and is located approximately one block south of the Hollywood Entertainment District. The area is developed with a diverse range of commercial uses, which include restaurants, theaters, and retail uses. In active commercial areas where there is a demand for licenses beyond the allocated number, the Department of Alcoholic Beverage Control (ABC) has recognized that high activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. As proposed by the submitted application and conditioned herein by the City, the requested application will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. These conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcoholic beverages in conjunction with the proposed restaurant and the hotel for on-site consumption is not undue or anticipated to create a law enforcement issue. Consequently this approval will not result in an undue concentration of premises selling and dispensing of a full line of alcoholic beverages.

According to statistics provided by the Los Angeles Police Department's Hollywood Vice Unit, within Crime Reporting District No. 646 which has jurisdiction over the subject property, a total of 1,777 crimes were reported in 2017 (662 Part I and 1,115 Part II crimes), compared to the Citywide Average of 191 crimes for the and the High Crime Reporting District Average of 229 crimes. Alcohol related Part II Crimes reported include Narcotics (167), Liquor Laws (58), Public Drunkenness (27), Disturbing the Peace (2), Disorderly Conduct (159), Gambling (2), DUI related (29),

and other offenses (269). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Although the site is located within a crime reporting district where the crime rate is higher than the area wide average, no evidence or communications were received indicating that the location of the proposed restaurant and hotel has been the subject of criminal or nuisance activity. On March 24, 2018, LAPD Hollywood Vice submitted a list of proposed operating conditions for the proposed restaurant and hotel as it relates to the sale and dispensing of alcoholic beverages. These proposed operating conditions are included herein, thus, the approval of the request is not anticipated to result in late night nuisance activity or contribute to the area's crime rate.

The subject grant has been conditioned to allow the Director's designee to require a Plan Approval application to evaluate the operations of the project if documentation is submitted showing that the project is not in compliance with the approved conditions. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant a conditional use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. The project has been conditioned to prevent negative impacts and integrate the use into the community as well as protect community members from adverse potential impacts. As such, the proposed restaurant and hotel with the sale of a full line of alcoholic beverages will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

iii. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following sensitive uses are located within 1000 feet of the project site:

- Selma Park (6561 West Selma Avenue)
- Selma Avenue Elementary School (6611 West Selma Avenue)
- Y.M.C.A. (6560 West Selma Avenue)
- Blessed Sacrament Church (6660 West Selma Avenue)
- King's Education (1555 Cassil Place)
- First Baptist Church (6682 Selma Avenue)

The proposed restaurant and hotel are located within the proximity of sensitive uses, including residential development. While the proposed restaurant and hotel proposes the sale of alcoholic beverages for on-site consumption, it is anticipated that the sale and consumption will be ancillary to the primary operations of the proposed restaurant and hotel. The site is located within a developing commercial corridor along Selma Avenue and in the Regional Center Commercial, which has long been a center of entertainment in the City. With the conditions referenced herein, the impacts of the on-site consumption and dispensing of a full line of alcoholic beverages would be reduced and will not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

9. **Zoning Administrator's Adjustment Findings.** In order for an adjustment from the zoning regulations to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative:

   a. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

   The Project Site is an L-shaped site with 65 feet of frontage along the western side of Wilcox Avenue and approximately 200 feet of frontage along the northern side of Selma Avenue. The northeastern portion of the site extends 185 feet to the north, midblock between Wilcox Avenue and Cahuenga Boulevard, as shown in the map below. The northeastern portion of the site is developed with an existing commercial building with a partially constructed subterranean structure. The Project proposes to complete the construction of the subterranean structure, to be utilized for parking, and to construct a new eight-story building. While the building will be located primarily on the western portion of the site, a portion of the building would be constructed over the existing building along Selma Avenue, which will be maintained as part of the Project.

   Pursuant to the LAMC Section 12.14 C,2 and 12.22 A,18, a building would be required to provide five-foot side yard, with one additional foot added for every story over the second story. For the rear yard, the Zoning Code requires a minimum fifteen-foot setback, with one additional foot added for every story over the third story. As an eight-story building, the Project is required to provide an eleven-foot northerly side yard and a twenty-foot easterly rear yard setback. The applicant has requested an adjustment to permit a reduced side yard setback of ten feet and a reduced rear yard of nineteen feet.

   As proposed and requested, the Project would comply with the setback requirements of a seven-story building. However, as the rooftop will include a covered rooftop bar and lounge seating area and will be used for other amenities, it is considered an eighth story. The rooftop includes outdoor amenities such as a pool and amenity deck and an uncovered bar and lounge seating area. Along the northern elevation, fully enclosed structures are limited to roof structures and storage, which would otherwise be permitted to be located at the perimeter of the building. Outdoor seating areas which are located along the northern elevation are further setback from the perimeter of the building and are buffered with a landscape planter. Along the eastern elevation, the rooftop amenities and fully enclosed structures are setback further than the required twenty feet and the requested nineteen feet. The second through seventh stories would observe the requested nineteen feet, which is consistent with the required rear yard setback of a seven-story building. As such, the provided yards would still conform to the intent of the provisions to not obstruct light or ventilation on any of the adjoining properties.

   b. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

   The L-shaped site is located at the northeast corner of Selma Avenue and Wilcox Avenue, with 65 feet of frontage along Wilcox Avenue and 200 feet of frontage along Selma Avenue. The proposed building has largely been configured to be oriented along Selma Avenue. As described in Finding No. 8.a, the second through seventh story would observe a reduced northerly side yard of ten feet and a reduced easterly rear yard of nineteen feet. To the north, the adjacent property is developed with a surface parking

lot. To the west, the adjacent property is developed with a ten story hotel. As designed, the reduced yards would provide an adequate setback to maintain access to light and ventilation for existing and future developments on adjacent properties. Additionally, a Mitigated Negative Declaration (Case No. ENV-2016-2602-MND) was prepared for the proposed Project. The mitigation measures identified in the MND have been incorporated as enforceable conditions of approval. The mitigation measures, in conjunction with conditions of approval related to the size, height, and operations of the proposed Project would ensure that the Project as a whole would be compatible with and would not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

c. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The Project Site is located within the Hollywood Community Plan, with a land use designation of Regional Center Commercial. The applicant has requested a Vesting Zone Change and Height District Change from C4-2D to (T)(Q)C2-4D. The Project proposes to maintain the existing commercial building and to complete construction of the subterranean parking structure and to construct a new eight-story building. The building would consist of a 1,939 square-foot restaurant and a 114 guest room hotel. The hotel would include a lobby bar and rooftop amenities such as a pool, rooftop bars with both outdoor and indoor bar and lounge seating areas. With the approval and adoption of the requested Vesting Zone Change and Height District Change, the Project would be in substantial conformance with the purpose, intent and provisions of the General Plan and the Hollywood Community Plan, as described in Finding Nos. 2 through 5. The site is not located within a specific plan area.

10. **Site Plan Review Findings.** In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

a. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The Project Site is located within the Hollywood Community Plan, with a land use designation of Regional Center Commercial. The site is presently developed with a one-story commercial building and partially constructed subterranean parking structure on the northeastern portion of the site. The recommended Vesting Zone and Height District Change to (T)(Q)C2-2D would permit the construction of the approximately 89-foot tall, eight-story building on the western portion of the site and the maintenance of the existing building on the northeastern portion of the site. The Project would continue operations of the existing restaurant, and proposes a new 1,939 square-foot restaurant and a 114 guest room hotel. The hotel would have a ground floor lobby bar, and would include additional amenities on the rooftop such as a pool and bar and lounge area. The Project has been conditioned to require parking spaces to be constructed for the immediate installation and use of EV Chargers, as well as for future use, and for the installation of solar panels to an operating photovoltaic system. As discussed in Finding Nos. 2 through 6, the Project would redevelop an underutilized site with uses that are compatible with the existing development in the surrounding area and would be in substantial conformance with the objectives and policies of the General Plan and the Hollywood Community Plan.

b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The Project proposes to construct an approximately 89-foot tall, eight-story building with three-levels of subterranean parking. The Project would maintain the existing one-story building which is currently operating as a restaurant, and proposes a new 1,939 square-foot restaurant and a 114 guest room hotel. The existing restaurant would maintain the existing entryway along Selma Avenue. The proposed restaurant, located directly at the corner of Selma Avenue and Wilcox Avenue would have a separate entrance on Selma Avenue, but would also be accessible from an interior entrance from the hotel reception area. The proposed building would be constructed over three levels of subterranean parking, which would be accessible from a driveway located along Wilcox Avenue. It is intended that a valet drop off/pick up area will be provided along Selma Avenue to park the cars either on-site or at the off-site parking location. Short term bicycle parking is proposed within the public right-of-way along Selma Avenue and Wilcox Avenue and long term bicycle parking is proposed on the first subterranean level.

c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The hotel use is defined as a residential use due to the habitable rooms; however, it is not required to provide open space pursuant to LAMC Section 12.21 G as there are no dwelling units proposed. Although recreational and service amenities are not required, the hotel will provide amenities for hotel guests such as use of the rooftop deck, which includes a swimming pool. As conditioned, the Project would installed electric vehicle charging stations for five percent of the required parking provided on-site and the installation of an operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide guests and patrons who use an electric vehicle a direct service amenity.

Environmental Findings

11. **Environmental Finding.** A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2016-2602-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). Comments were received from members of the public stating that the MND fails to adequately analyze impacts of the Project related to air quality, greenhouse gases, and traffic. No technical studies were submitted with the comments which were received. The MND analyzes the potential impacts of the Project from two baselines referred to as the Original Baseline and the Current Baseline. The Original Baseline analyzes the Project's potential impact as it existed at the time of submittal of Case No. ENV-2015-2672-MND. The Current Baseline analyzes the Project's potential as the site currently exists. Projects in the surrounding area have been identified and analyzed as part of the MND. The MND incorporates mitigation measures to address identified impacts under both baselines. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant

effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. The records upon which this decision is based are with the Environmental Review Section of the City Planning Department in Room 750, 200 North Spring Street.

12. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.

PUBLIC HEARING AND COMMUNICATIONS

A joint public hearing was held by the Deputy Advisory Agency and Hearing Officer at the City Hall in Room 1020 on Wednesday, March 28, 2018 for Case Nos. VTT-74406 and CPC-2016-2601-VZC-HD-CUB-ZAA-SPR.

The public hearing was attended by the applicant's representative, representative of the Council Office, representative of LAPD Hollywood Vice Unit, and members of the public.

The applicant's representative, Mr. Fraijo Jr., presented the current proposed project, as well as discussed the previously proposed project and the CEQA analysis that was conducted for the current project. The presentation included a summary of the requested entitlements and meetings with stakeholders in the community.

From the public, two members of the Hollywood community spoke in support of the project stating that the project would help the community and enhance the experience of those visiting the area.

From the public four members of the public spoke in opposition of the project citing the following concerns:

- The project's impact on low income immigrants
- The project does not help workers
- The review of the proposed project and others in the area by the same applicant
- The environmental review for the project and compliance with existing Development Limitations

Officer Thompson, a representative from LAPD Hollywood Vice Unit, stated that LAPD was familiar with the proposed project and the surrounding area. He stated that he believes the project could be a benefit for the area and that the potential negative impacts could be addressed through recommended conditions submitted to Planning Staff. Officer Thompson concluded that while there have been "speed bumps" regarding compliance with approved conditions on other projects in the area which are operated by the applicant, he believed that the applicant has complied with the conditions for the most part.

Mr. Craig Bullock, a representative from Council District 13, stated that the Council Office was supportive of the project.

The following communications received from the public prior to the hearing have been incorporated in Exhibit E.

- David Carrera
- Unite Here, Local 11
- Casey Maddren
- Hollywood Network Coalition
- Daniel Wright, The Silverstein Law Firm

Exhibit A

DREAM

Selma
Wilcox
FINE DINING
FINE DINING
VISUALHOUS

SAID CITY ENGINEER; THENCE SOUTH 89°54'30" EAST ALONG THE SOUTHERLY LINES OF SAID LOTS 18 AND 11, A DISTANCE OF OF INTERSECTION WITH THE EAST FACE OF THE EAST WALL OF SAID BRICK GARAGE SAID POINT OF INTERSECTION BEING A P(LINE OF SAID LOT 11 DISTANT SOUTH 89°54'30" EAST, ALONG THE SOUTHERLY LINES OF LOTS 17, 18 AND 11 A DISTANCE OF 20! EASTERLY LINE OF WILCOX AVE.; THENCE NORTHERLY ALONG SAID EAST FACE, THE FOLLOWING DESCRIBED COURSES:

NORTH 00°08'15" EAST 70.13 FEET NORTH 89°54'45"WEST 0.68 FEET AND NORTH 00°08'15" EAST 114.86' TO THE NORTHERLY LIN THENCE NORTH 89°55'15" WEST, ALONG THE NORTHERLY LINE OF SAID LOT 13, A DISTANCE OF 65.26 FEET TO THE NORTHWES LOT 13; THENCE SOUTH 00°04'35 WEST ALONG THE WESTERLY LINE OF SAID LOTS 13 AND 12, A DISTANCE OF 114.99 FEET TO T SAID LOT 18; THENCE SOUTH 89°54'45" EAST, ALONG SAID NORTHERLY LINE OF LOT 18, A DISTANCE OF 0.13 FEET TO THE NOR' OF SAID WEST FACE OF SAID WEST WALL; THENCE SOUTH 00°04'35" WEST, ALONG SAID WEST FACE, AND ITS PROLONGATION / FEET TO THE POINT OF BEGINNING.

PARCEL 3:

LOT 17 OF THE SACKETT TRACT, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAI PAGE(S) 150 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

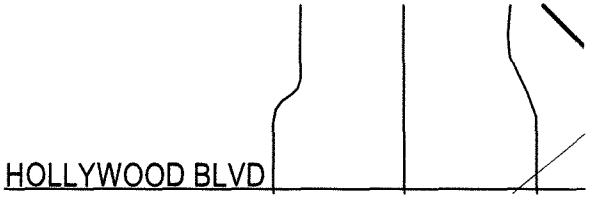
ASSESSOR'S PARCEL NUMBER: 5546-007-024, 5546-007-023 AND 5546-007-018

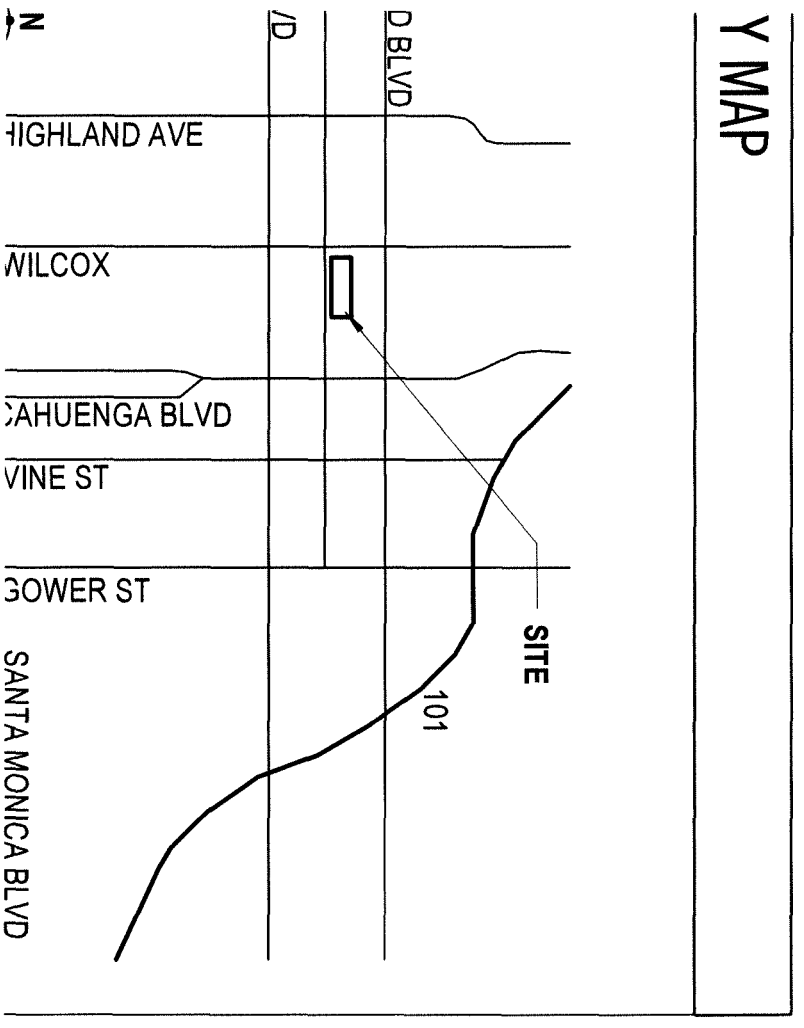
PROJECT TEAM

APPLICANT
6421 SELMA WILCOX HOTEL, LLC
1605 NORTH CAHUENGA
BOULEVARD
LOS ANGELES, CA 90028
323.466.1400
DEMIEN FARRELL

STRUCTURE
WAHBA F. WAHBA ENGINEERING INC.
10041 SYLVIA AVE
NORTHRIDGE, CA 91324
818.709.7590
CONTACT WAHBA F WAHBA

VICINITY MAP




Y MAP
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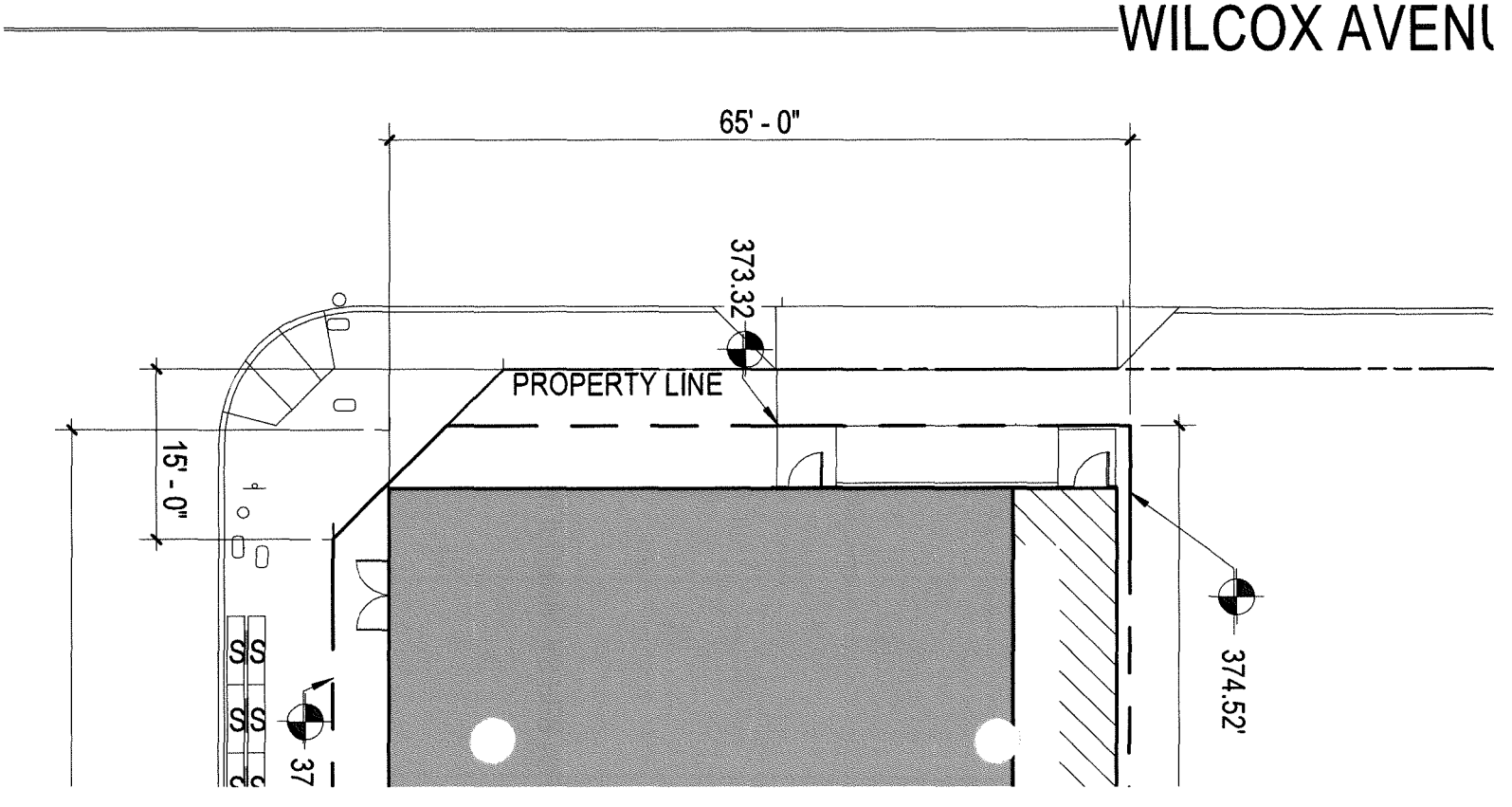
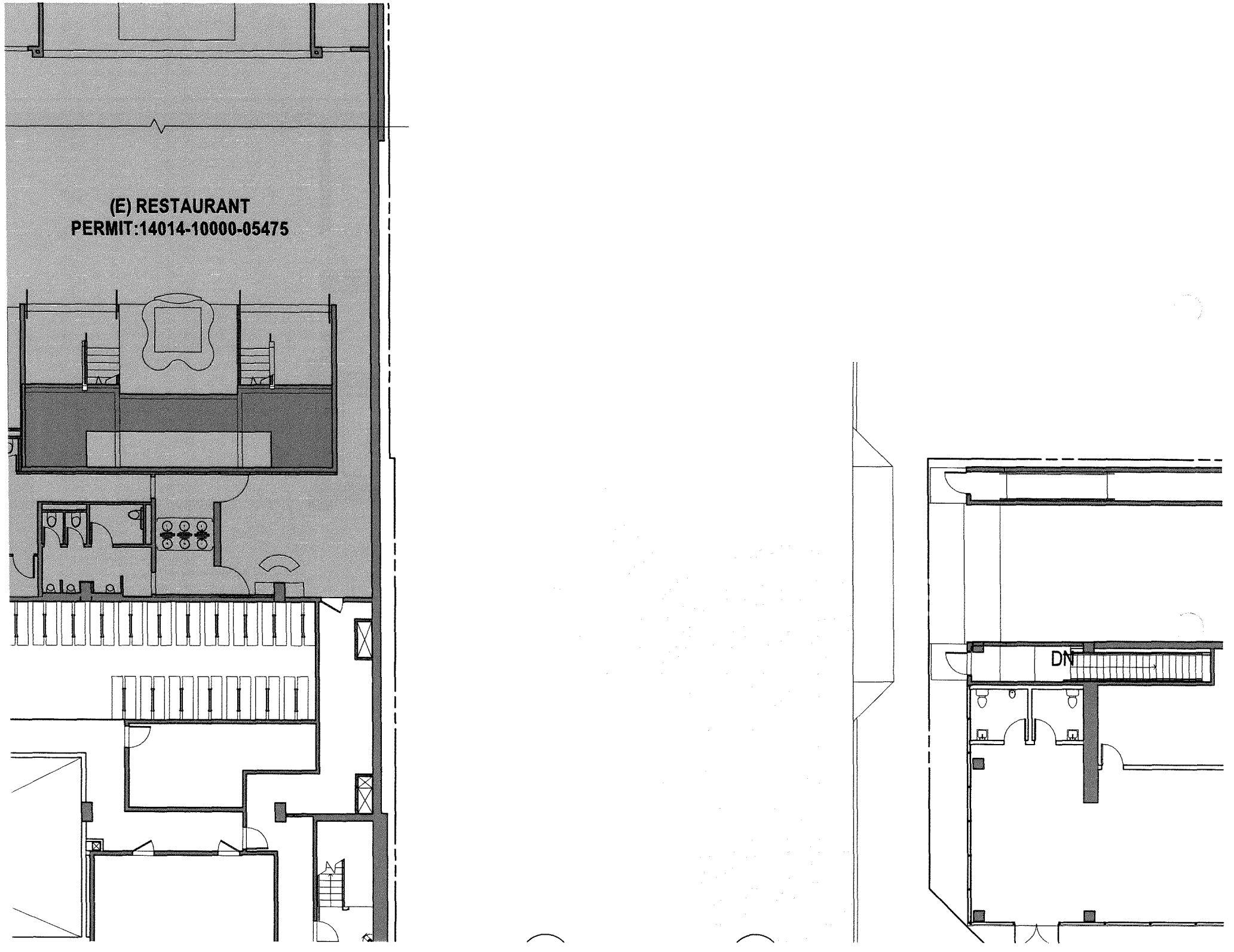
HIGHLAND AVE
WILCOX
CAHUENGA BLVD
VINE ST
GOWER ST
SANTA MONICA BLVD
SITE
101


WILCOX AVENU
65' - 0"
373.32
PROPERTY LINE
15' - 0"
374.52'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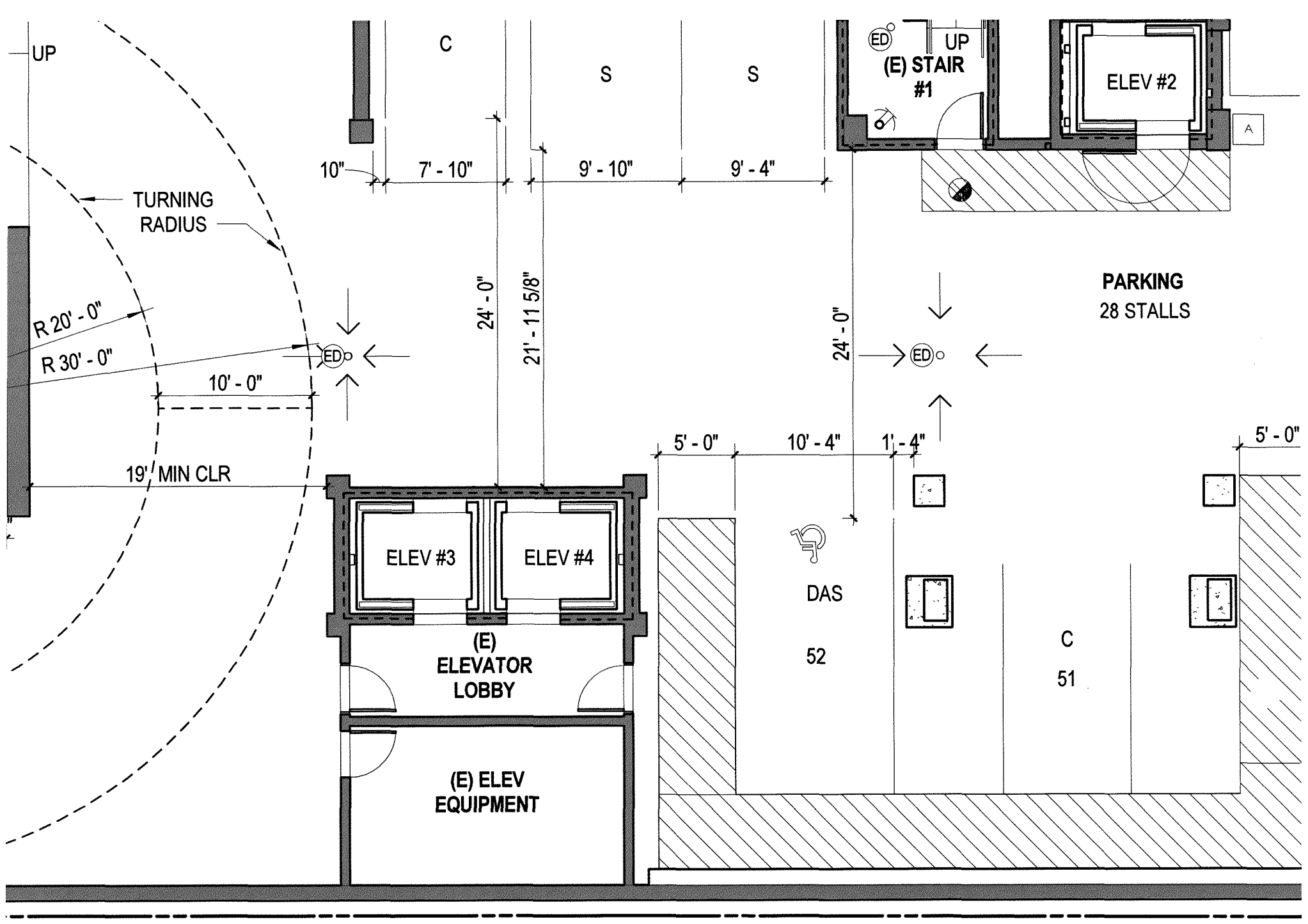
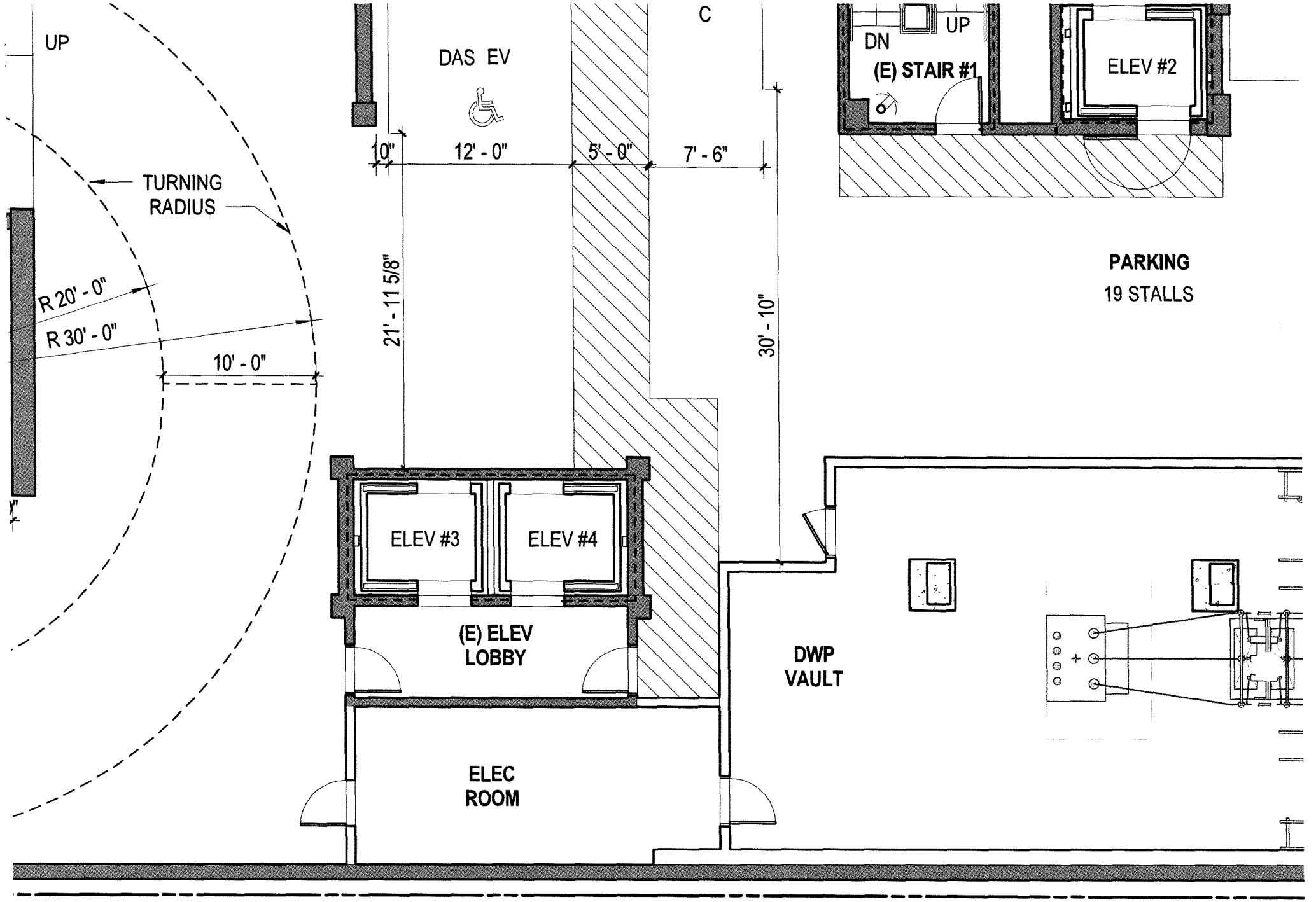
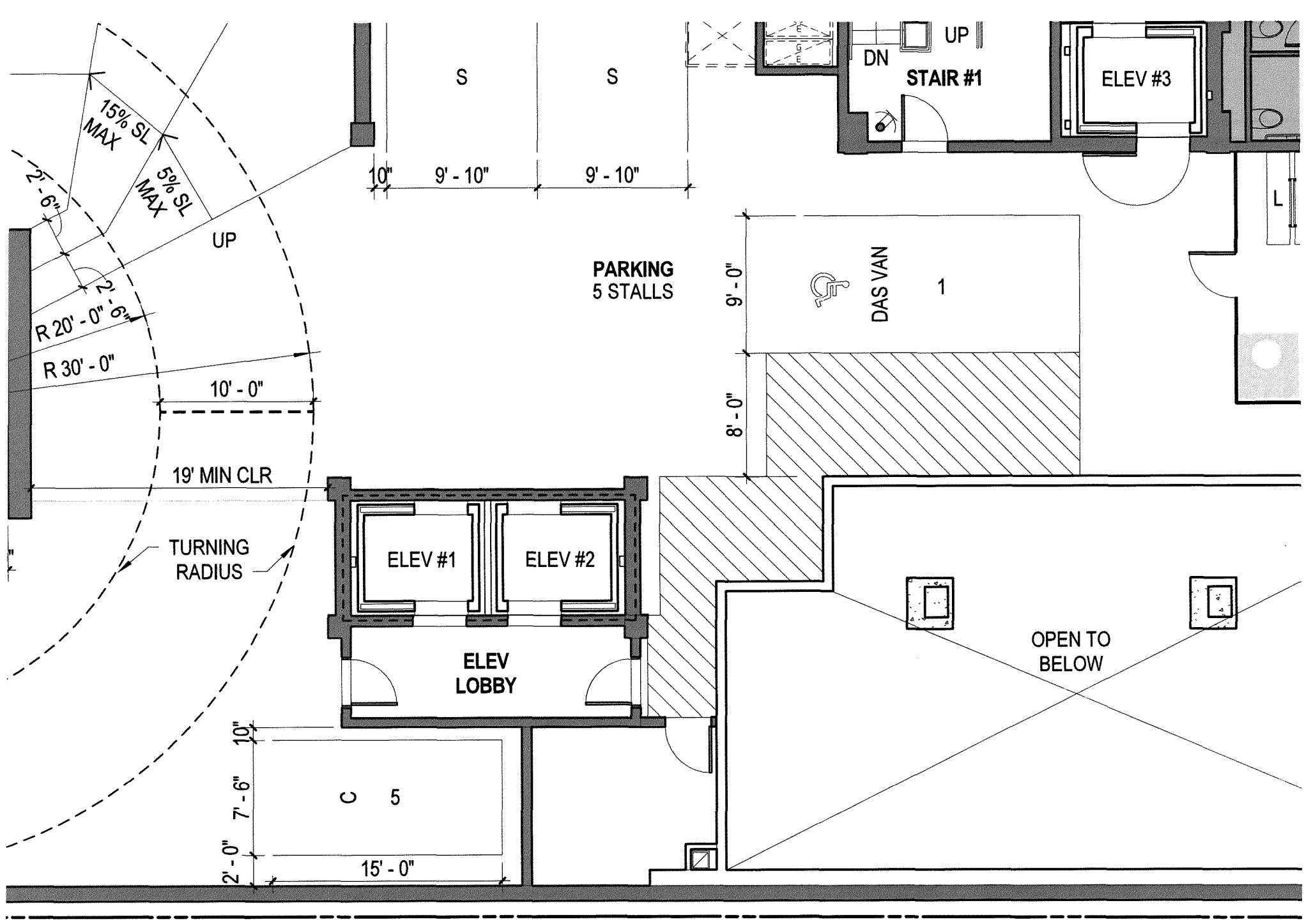
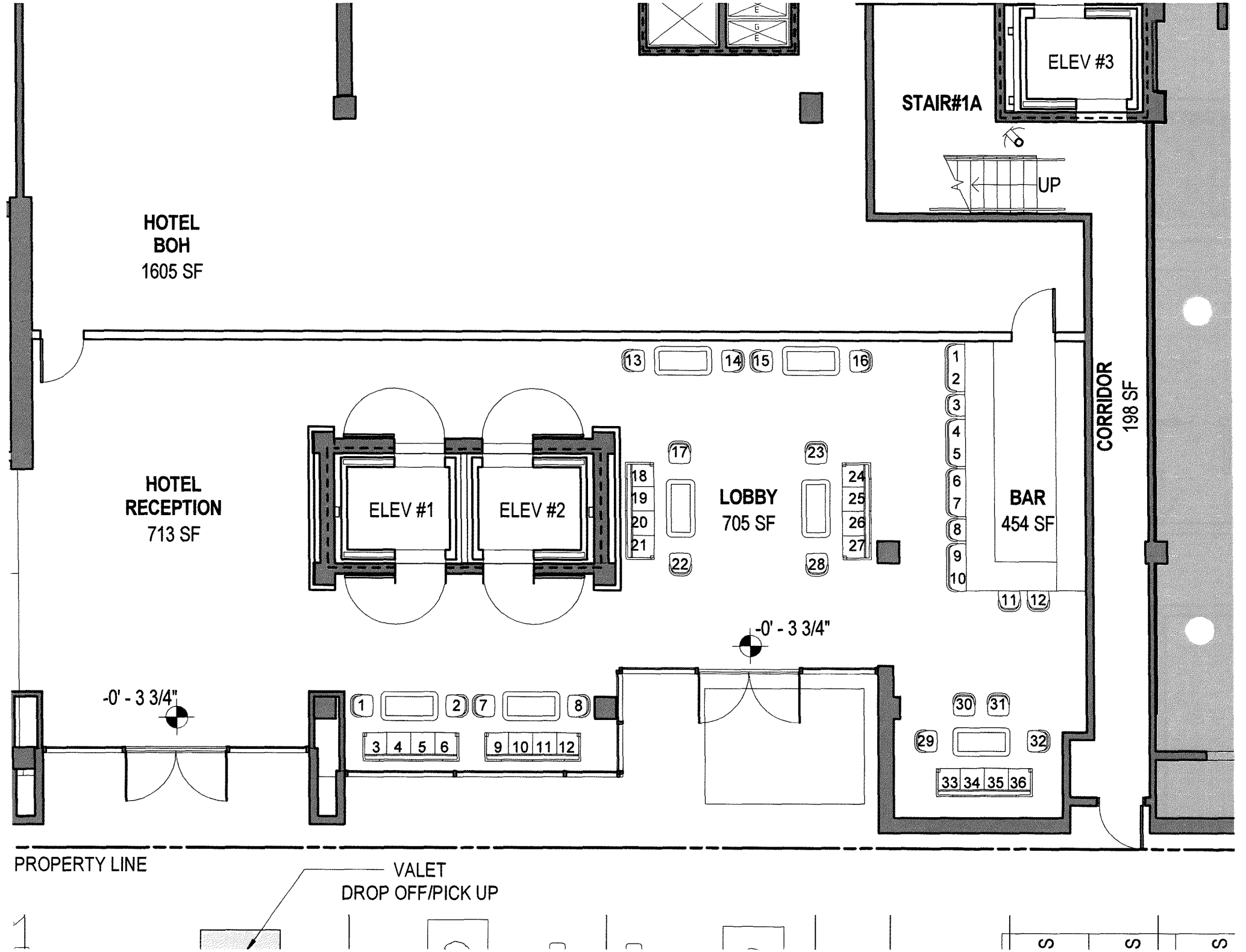
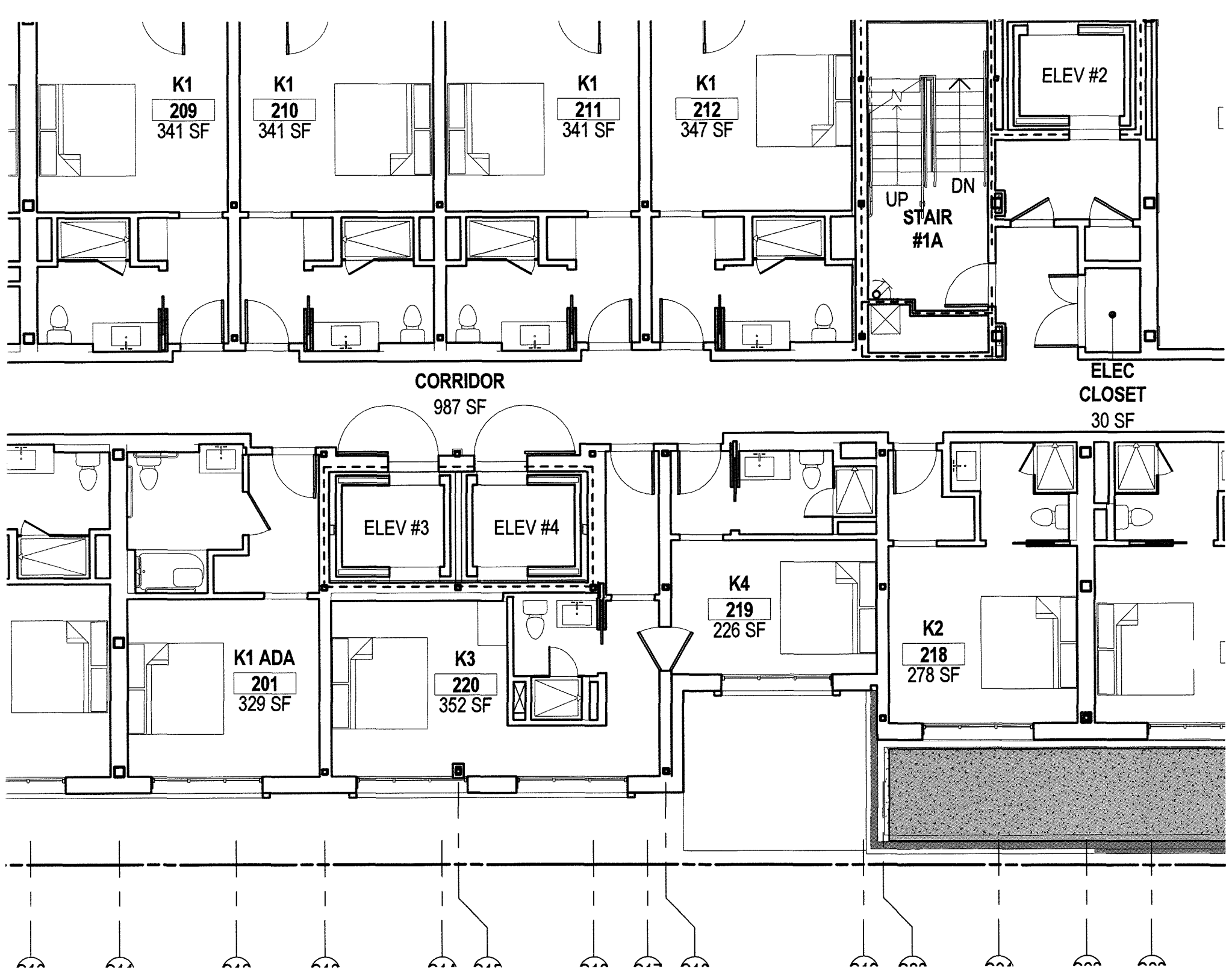
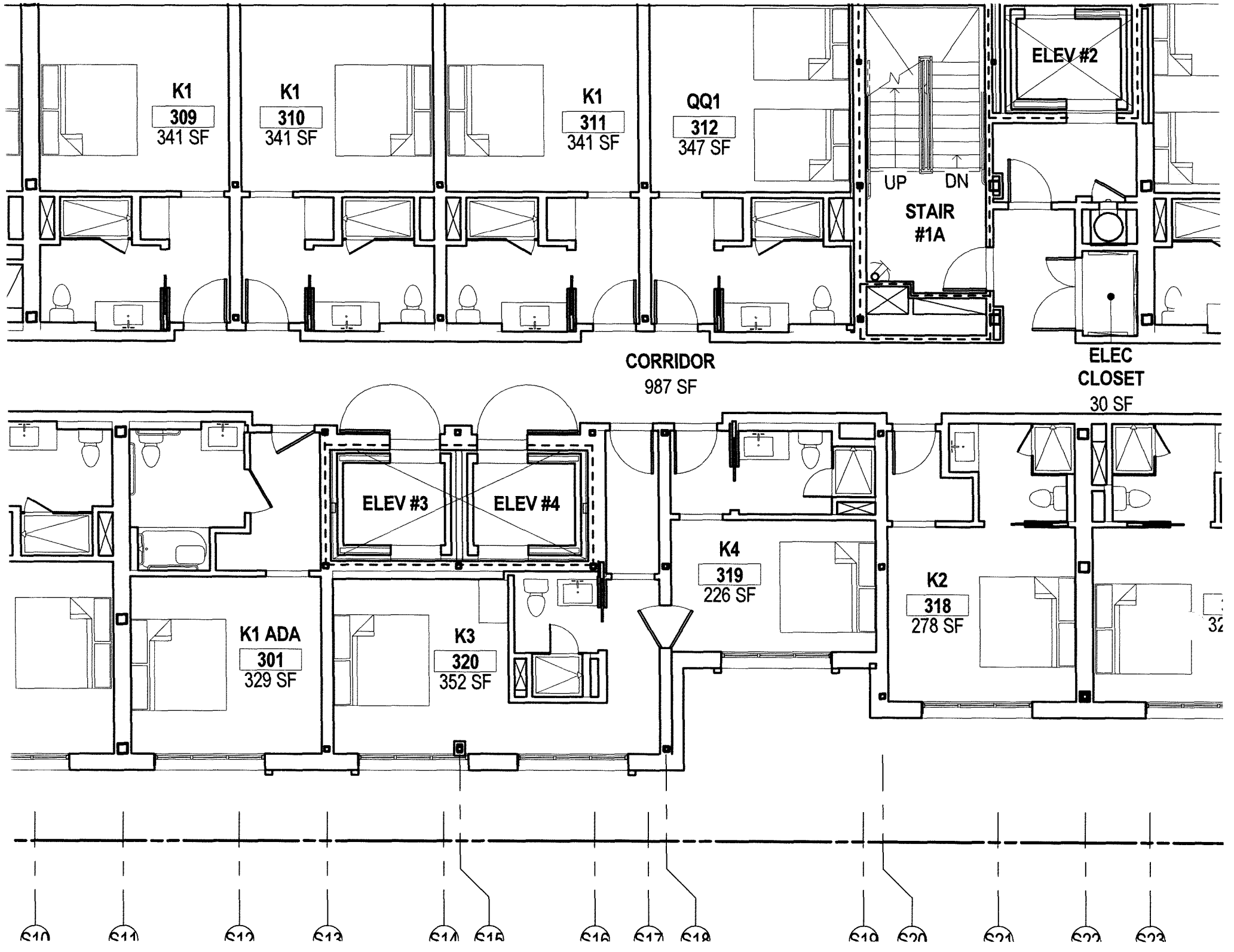

UP
C
S
S
ED
UP
(E) STAIR #1
ELEV #2
A
10"
7' - 10"
9' - 10"
9' - 4"
TURNING RADIUS
R 20' - 0"
R 30' - 0"
10' - 0"
19' MIN CLR
24' - 0"
21' - 11 5/8"
24' - 0"
PARKING
28 STALLS
5' - 0"
10' - 4"
1' - 4"
5' - 0"
ELEV #3
ELEV #4
(E) ELEVATOR LOBBY
(E) ELEV EQUIPMENT
DAS
52
C
51


UP
TURNING
RADIUS
R 20' - 0"
R 30' - 0"
10' - 0"
DAS EV
C
10"
12' - 0"
5' - 0"
7' - 6"
21' - 11 5/8"
30' - 10"
DN
UP
(E) STAIR #1
ELEV #2
PARKING
19 STALLS
ELEV #3
ELEV #4
(E) ELEV
LOBBY
DWP
VAULT
ELEC
ROOM


15% SL MAX
5% SL MAX
2' - 6"
UP
2' - 6"
R 20' - 0"
R 30' - 0"
10' - 0"
19' MIN CLR
TURNING RADIUS
S
S
10"
9' - 10"
9' - 10"
DN
UP
STAIR #1
ELEV #3
L
PARKING
5 STALLS
9' - 0"
DAS VAN
1
8' - 0"
ELEV #1
ELEV #2
ELEV LOBBY
OPEN TO BELOW
10"
7' - 6"
2' - 0"
C
5
15' - 0"


ELEV #3
STAIR#1A
UP
HOTEL
BOH
1605 SF
CORRIDOR
198 SF
HOTEL
RECEPTION
713 SF
ELEV #1
ELEV #2
LOBBY
705 SF
BAR
454 SF
-0' - 3 3/4"
-0' - 3 3/4"
PROPERTY LINE
VALET
DROP OFF/PICK UP


K1
209
341 SF
K1
210
341 SF
K1
211
341 SF
K1
212
347 SF
ELEV #2
UP
DN
STAIR
#1A
ELEC
CLOSET
30 SF
CORRIDOR
987 SF
ELEV #3
ELEV #4
K4
219
226 SF
K2
218
278 SF
K1 ADA
201
329 SF
K3
220
352 SF


K1
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226 SF
K2
318
278 SF
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301
329 SF
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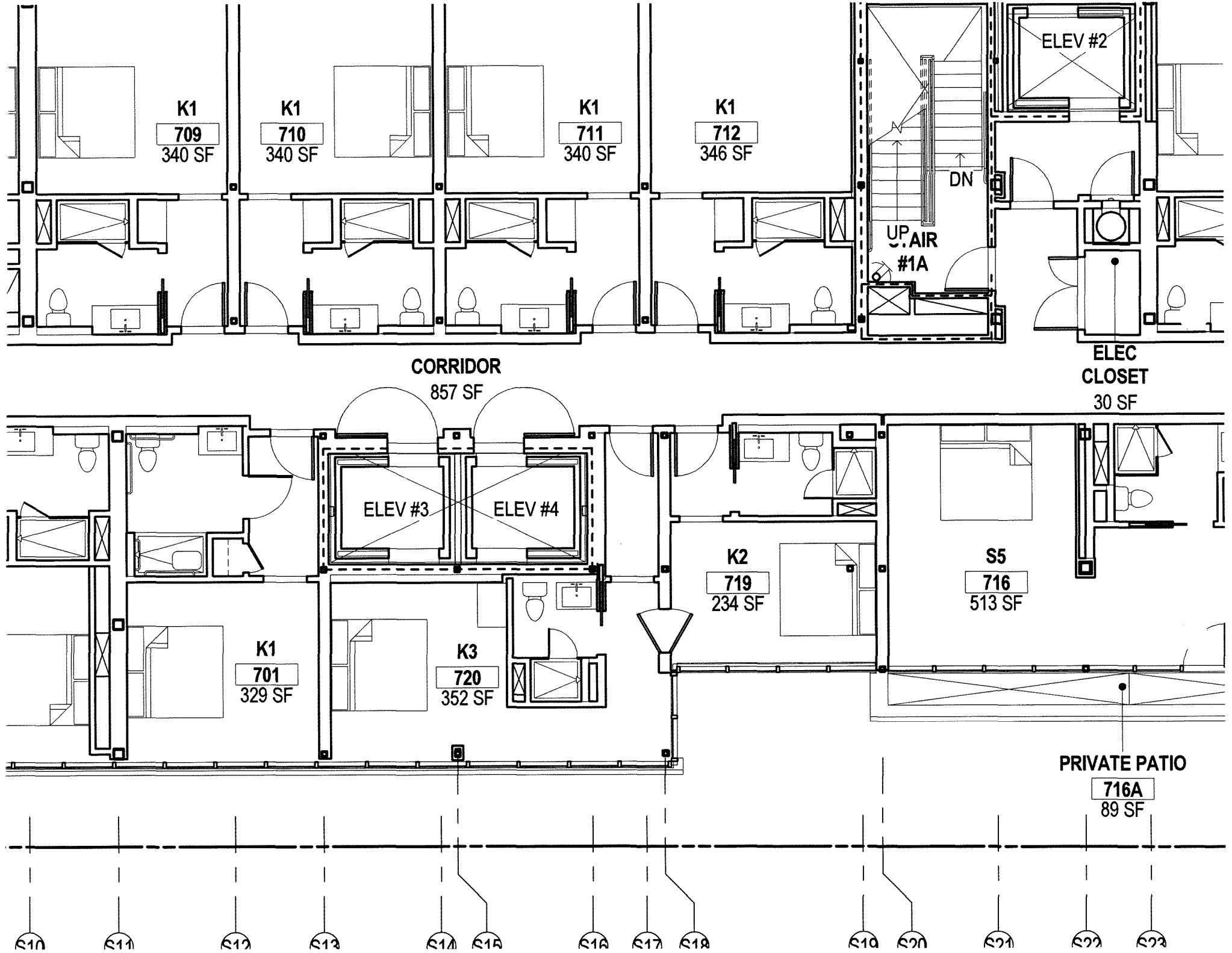
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K1
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340 SF
K1
711
340 SF
K1
712
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ELEC
CLOSET
30 SF
CORRIDOR
857 SF
ELEV #3
ELEV #4
K2
719
234 SF
S5
716
513 SF
K1
701
329 SF
K3
720
352 SF
PRIVATE PATIO
716A
89 SF
S10
S11
S12
S13
S14
S15
S16
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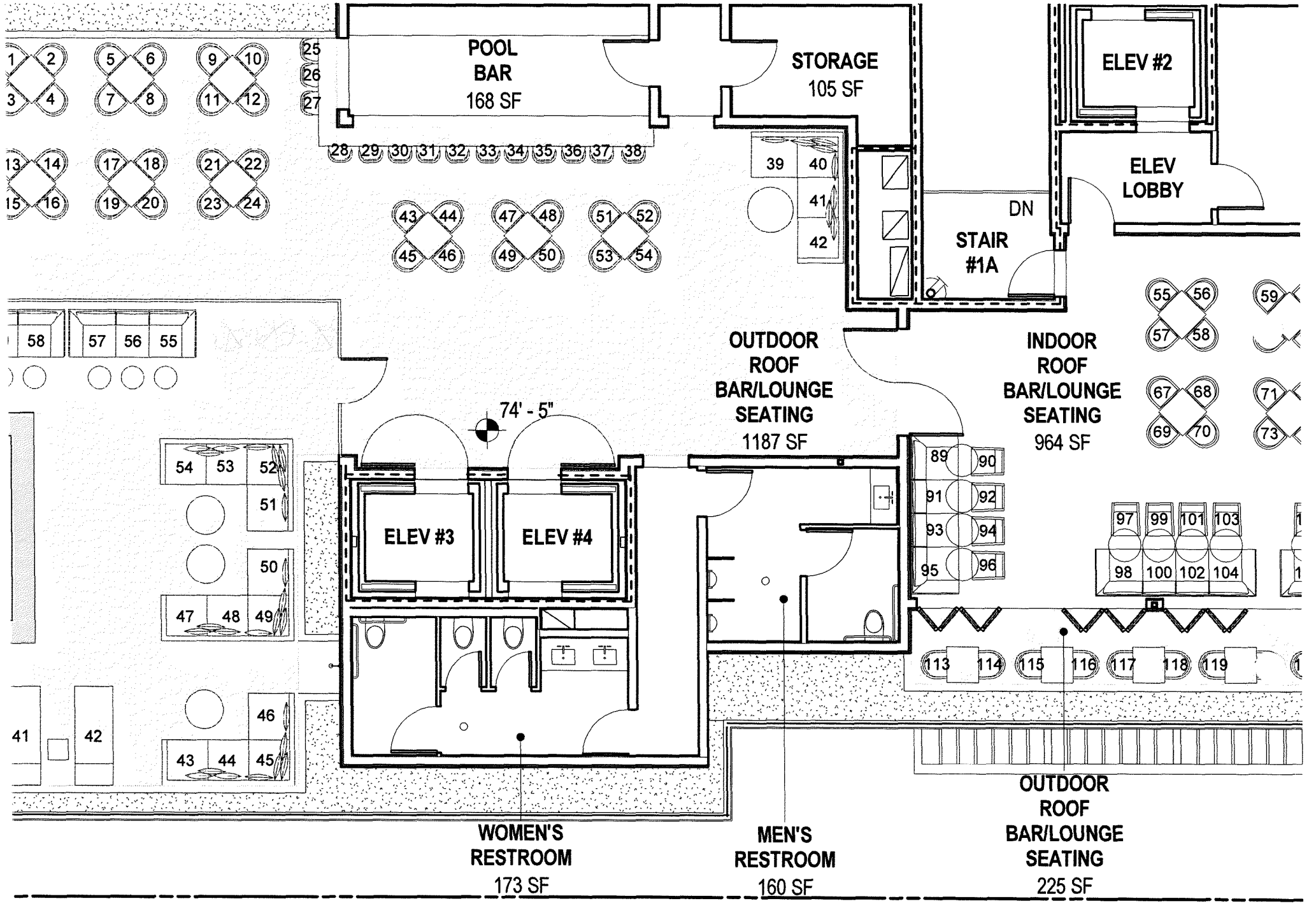
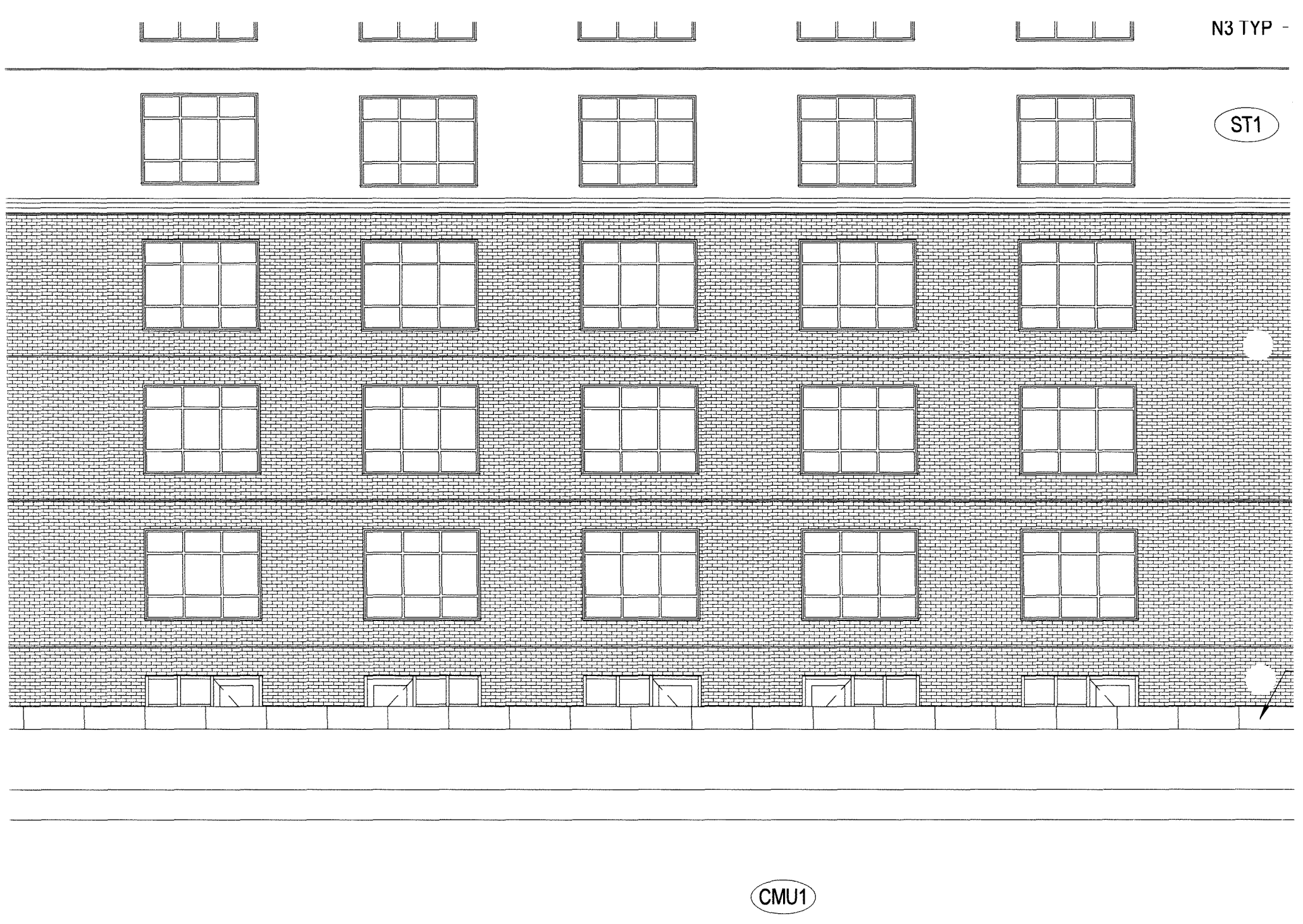
S18
S19
S20
S21
S22
S23


POOL
BAR
168 SF
STORAGE
105 SF
ELEV #2
ELEV
LOBBY
DN
STAIR
#1A
OUTDOOR
ROOF
BAR/LOUNGE
SEATING
1187 SF
INDOOR
ROOF
BAR/LOUNGE
SEATING
964 SF
74' - 5"
ELEV #3
ELEV #4
WOMEN'S
RESTROOM
173 SF
MEN'S
RESTROOM
160 SF
OUTDOOR
ROOF
BAR/LOUNGE
SEATING
225 SF

N3 TYP
STL
STL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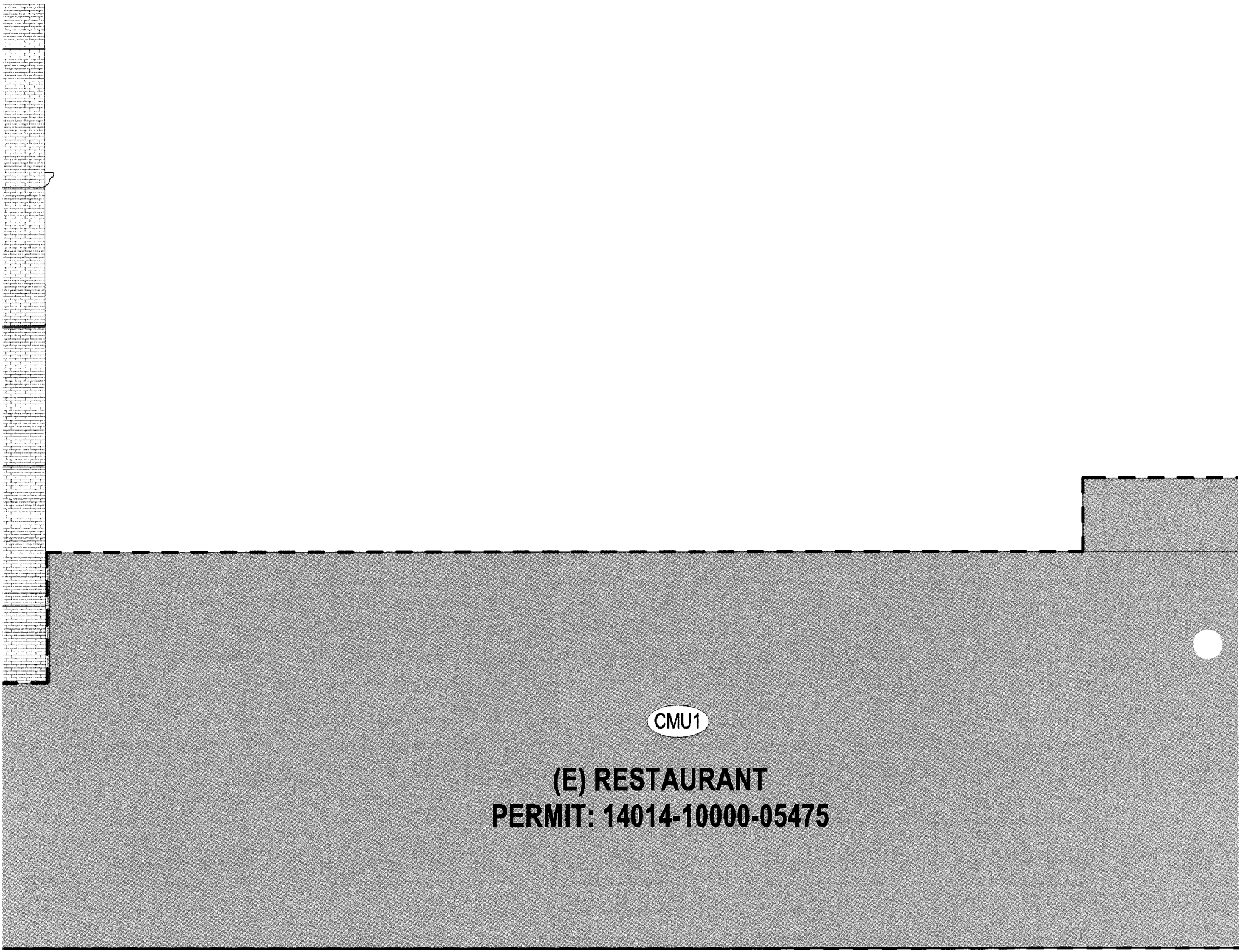
ST1
CMU1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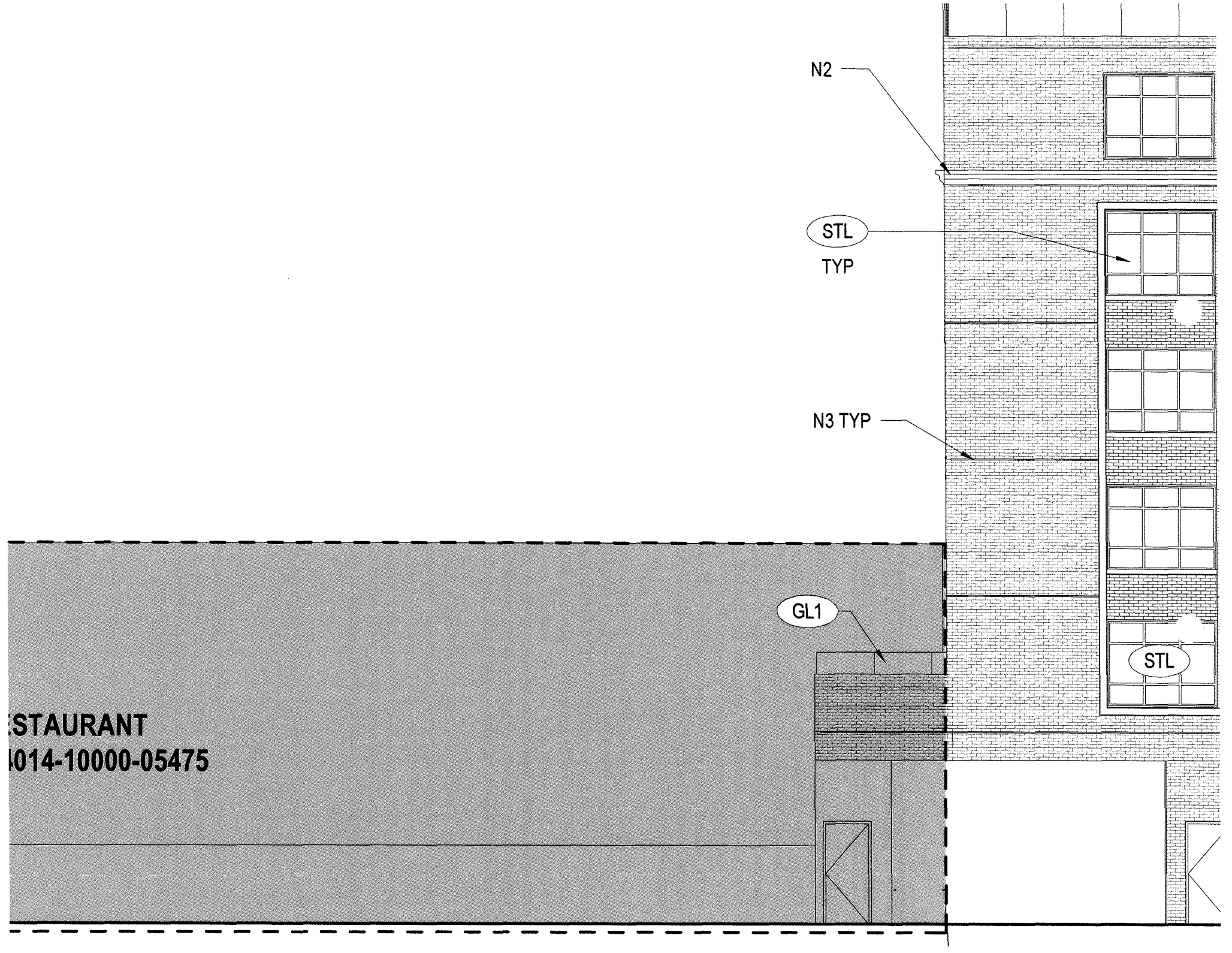
N2
STL
TYP
N3 TYP
GL1
STL
STAURANT
014-10000-05475

CITY OF LOS ANGELES

DEPARTMENT OF CITY PLANNING

City Hall • 200 N. Spring Street, Room 750 • Los Angeles, CA 90012

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

ENV-2016-2602-MND
CPC-2016-2601-VZC-HD-CUB-SPR
Project Title: Selma Wilcox Hotel Project

Council District No. 13

THIS DOCUMENT COMPRISES THE INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION ANALYSIS AS REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Project Addresses: 6421-6429 W. Selma Avenue and 1600-1604 N. Wilcox Avenue, Los Angeles, California 90028

Project Description: The Project would maintain an existing 20,624 square-foot restaurant (existing restaurant) and the construction of a new 1,939 square-foot ground floor restaurant (new restaurant) and a 114 guestroom hotel (hotel). The Proposed Project would include a change of use of a previously proposed 6,000 square-foot ground floor retail space into the proposed 1,939 square-foot restaurant and the lobby, bar, and other accessory uses of the proposed 114 guestroom hotel. The new restaurant proposes to have a maximum of 100 seats, 60 indoor and 40 outdoor seats. The hotel proposes to have a lobby bar on the ground floor with 48 seats and the rooftop would include a pool, amenity deck, a rooftop bar with 73 seats, and other accessory uses. The Project proposes to maintain the previously proposed three-levels of subterranean parking, which would be accessible from Wilcox Avenue.

The IS/MND proposes to analyze the Project utilizing the following two baselines, referenced as the Original Baseline and Current Baseline. The Original Baseline will describe the environmental conditions that originally existed at the time of submittal of Case No. ENV-2015-2672-MND. The MND evaluated the demolition of existing structures and the proposed construction of a 20,624 square-foot restaurant, 6,000 square feet of retail, and three levels of subterranean parking (Approved Project).[1] The Current Baseline will describe existing environmental conditions, which includes the 20,624 square feet of restaurant, partial construction of three-levels of subterranean parking, and an excavated area. The Project would be analyzed against the two baselines described above to measure the Project's impacts against the physical conditions that existed prior to the Original Baseline and the conditions that exist today, the Current Baseline.

The Current Baseline restaurant (20,624 square feet) would remain while the proposed 6,000 square feet of retail space would be renovated and become the new ground floor restaurant (1,939 square feet) and the hotel lobby area and corridors. The Proposed Project would be comprised of a ground floor restaurant of approximately 1,939 square feet with 100 seats (60 indoor seats and 40 outdoor seats), and a 114 guestroom hotel with a lobby bar of approximately 819 square feet (with 48 seats), rooftop pool and amenity deck with rooftop bar of approximately 5,807 square feet (with 73 seats), and three levels of subterranean parking. The required 86 parking spaces would be provided in the subterranean parking structure (50 spaces) and off-site (36 spaces) at 1541 Wilcox Avenue.

The Project would be analyzed against the two baselines described above. This way, the Project impacts would be measured against the physical conditions that existed prior to the CUB Approval (Original Baseline), as well as the physical conditions that exist today (Current Baseline).

The Project has requested the following discretionary action:
1) A **Vesting Tentative Tract Map** pursuant to Los Angeles Municipal Code (LAMC) Section 17.15, to permit the airspace subdivision of the property into four lots containing one master lot and three (3) airspace lots containing 114 hotel guest rooms, parking, storage, and commercial/restaurant uses.

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[1] *The MND was adopted by the Zoning Administrator in conjunction with the approval of the CUB per Case No. ZA-2015-2671(CUB).*

2) A **Vesting Zone Change and Height District Change**, pursuant to LAMC Section 12.32.F, from C4-2D to (T)(Q)C2-2D to permit the new construction of a new mixed-use hotel with 79,918 square feet of floor area and a Floor Area Ratio of 3.7:1.
3) A **Conditional Use Permit,** pursuant to LAMC Section 12.24 W.1, for the on-site sale and dispensing of alcoholic beverages incidental to a proposed 114-guestroom hotel and ground floor restaurant with 100 seats (60 indoor seats and 40 outdoor seats).
4) A **Site Plan Review**, pursuant to LAMC Section 16.05 to permit the construction, use, and maintenance of a hotel with greater than 50 guest rooms.
5) Any additional actions as may be deemed necessary or desirable, including but not limited to, demolition, grading, excavation, haul route, and building permits.

APPLICANT: 6421 Selma Wilcox Hotel, LLC

PREPARED FOR: Los Angeles Department of City Planning

PREPARED BY: CAJA Environmental Services, LLC

SIGNATURE (OFFICIAL)	DATE
Charles Rauschenberger	12/29/17

May Sirinopwongsagon
Los Angeles City Planning Department
200 N. Spring St., Room 763
LA, CA 90012

April 26, 2018

RE: VTT-74406
CPC-2016-2601-VZC-HD-CUB-ZAA-SPR
ENV-2016-2602-MND
6421-64291/2 Selma Avenue, 1600-1604 N. Wilcox Avenue

Dear Ms. Sirinopwongsagon and/or other appropriate City Planners,

This letter is an addendum to my previous letter, dated March 22, 2018, on this matter. Previously, I thought that the applicant was pursuing a Zone Variance to permit outdoor dining/food and drink service above the ground floor. I see they are not requesting that entitlement and wish to address that. I apologize for my mistake.

The requested Zone Change from C-4 to C-2 to allow the rooftop use is a clever scheme to get out of a required Variance by the applicant, but it should not be indulged or granted by the Planning Dept.

To permit a rooftop bar/lounge, or any outdoor food/drink service above the ground floor, a Zone Variance needs to be granted. Section 12.14-A,1(b)(3) of the LA Municipal Code states: "In connection with the stores, shops or businesses listed in Paragraph (a) all activities, other than incidental storage and outdoor eating areas for ground floor restaurants, shall be conducted wholly within a completely enclosed building." Another project in the area that requested this variance is The Dream Hotel, next door at 6415 Selma. That determination (CPC-2007-3931-ZC-HD-CU-CUP-ZV-SPR) states "Notwithstanding LAMC Section 12.14 A.1 (b)(3) the project shall be allowed the consumption of food and beverages, including alcohol, to take place outdoors on the 8th floor and the rooftop area in lieu of being conducted in a ground floor restaurant or entirely within a completely enclosed building as is otherwise required." Other Zone Variances the City has recently granted to allow Outdoor Eating Areas above the ground floor are: CPC-2008-3440-ZC-CUB-CU-ZV-DA-HD (2013) - 1720-1770 Vine Street, CPC-2009-3416-TDR-CUB-CU-CUW-ZV-SN-DA-ZAD-SPR-GB (2010) - 695-699 Figueroa Street, ZA-2001-1210-CUB-ZV (2001) - 550 Flower Street.

I am aware that the Planning Dept. and Department of Building and Safety sometimes rely on a 1961 Zoning Administrator's Interpretation (ZAI 1808) in approving Outdoor Dining Areas above the ground floor, but this application is flawed and an abuse of their authority.

First off, the definition of Outdoor Eating Areas was established in 1990 by legislation, after the 1961 ZAI 1808, and therefore supersedes any application of ZAI 1808 when interpreting any rules and regulations applicable to Outdoor Eating Areas. Secondly, ZAI 1808 never considered Outdoor Eating Areas above the ground floor. Thirdly, ZAI 1808 is very clear in allowing outdoor dining areas that are "incidental" to the main "Restaurant,

Café, Eating Establishment or Refreshment Facility". The rooftop bar/lounge being sought is not an incidental use but a significant entity on it's own with 2 separate bars.

Furthermore, to use ZAI 1808 (which never considered Outdoor Eating Areas above the ground floor) in establishing rules and regulations which conflict with the adopted legislation of the City Council is an err and abuse of discretion. Regardless of the Planning Dept. and LADBS's past practice, the Planning Dept. cannot continue to rely on that practice if it can be demonstrated that such a practice is contrary to law. Moreover, the City's approval of process for Outdoor Eating Areas in general demonstrates ambiguity and inconsistency. If the City is to formally change the rules and regulations relating to Outdoor Eating Areas above the ground floor, it must do so through a Code Amendment or through a new ZAI that would inherently consider the 1990 legislation that defined Outdoor Eating Areas. The City Council, if it does not want to do that on a citywide policy, should at least require that this project obtain a Zone Variance in order to permit the consumption of food and/or drinks by the patrons of the proposed rooftop bar/lounge. You can change the zone from C-4 to C-2 if you so desire, but it will not authorize the use of ZAI 1808 in granting the rooftop use, the proper Zone Variance will still be required.

As demonstrated above, a Zone Variance is required in order to permit an Outdoor Dining Area/Bar/Lounge above the ground floor. As required by the Multiple Approvals Ordinance, "applicants shall file applications at the same time for all approvals reasonably related and necessary to complete the project." If the applicant intends to have an Outdoor Bar/Lounge Area above the ground floor, they must include the Zone Variance as part of the entitlements sought in conjunction with the Site Plan Review application. Site Plan Review reviews and approves, in part, the proposed operations and the proposed location of those operations of a given project. In this instance, the Site Plan Review is considering a roof top deck with a bar/lounge and thus a Zone Variance would be reasonably related and necessary to complete the project.

To not file all foreseen applications and requests at the same time is to piecemeal a project and a serious and clear violation of CEQA. This opens the City up to costly litigation if allowed to continue.

If the applicant does not intend to have an Outdoor Bar/Lounge Area above the ground floor, then imposing Conditions of Approval prohibiting an Outdoor Bar/Lounge Area on the rooftop should be agreeable to the applicant.

Thank you,

David Carrera
6530 Leland Way
L.A., CA 90028

May Sirinopwongsagon
Los Angeles City Planning Department
200 N. Spring St., Room 763
LA, CA 90012

March 22, 2018

RE: VTT-74406
CPC-2016-2601-VZC-HD-CUB-ZAA-SPR
ENV-2016-2602-MND
6421-64291/2 Selma Avenue, 1600-1604 N. Wilcox Avenue

Dear Ms. Sirinopwongsagon and/or other appropriate City Planners,

I, and my neighborhood, have some serious concerns about CPC-2016-2601-VZC-HD-CUB-ZAA-SPR and related cases that are before you.

First, let me be very clear: Our overwhelming concern is with the proposed activated rooftop AND our experience with this applicant. I am asking you to DENY the CUB for the rooftop and to add appropriate conditions to the SPR to protect the community from future abuse of the above-ground outdoor space.

I hope you're aware that there's an over-concentration of alcohol sales in Hollywood. The community is vastly impacted from the negative effects of so much alcohol and the people and behavior that it attracts. Noise is one of the greatest impacts that the people who live here deal with. Outdoor/rooftop locations are the most egregious creators of this disruptive and invasive noise. Outdoor ground level spaces have been horrible enough, but once the source of the noise is outside and put up into the air, even 30 feet up, it multiplies the problem. Two rooftop uses in the recent past, The Kress and Drai's at the W Hotel, both caused awful problems. I used to hear the Kress every night it was open and it was on Hollywood Blvd. and well over 1600 feet away from our house (per Zimas). The rooftop was entitled and sworn to be a quiet bar for 36 people with "background, ambient music only"by this same applicant, Richard Heyman. Soon after opening it became a full-on nightclub with blasting music and flashing lights. Currently we are experiencing problems from the new Dream Hotel's rooftop at 6417 Selma, next door, which is also the same applicant and operators before you on this case. Though the intent of its CUB conditions are clearly for it not to be a disruption, it is being operated at night as a nightclub, and has been a disruption. It can serve alcohol till 2AM and has a 4AM closure. It lacks tight, detailed conditions, and has no expiration, hence no incentive to operate responsibly. If it had a earlier closure, this would not be happening. Nightclubs, including this one, don't even start to get loud and packed until 11:30PM-12 midnight.

It is not just rooftop bars that have been a problem, but bars outdoors of any kind that are not properly conditioned. At 1430 Cahuenga is a nightclub called Lure with an outdoor patio that for years we've had terrible noise issues with. I live over 1000-feet away (according to Zimas) and this is what I often experience: With the TV on, I will hear and feel a thumping bass and music that sounds like someone is parked in front of our house blasting their car stereo. See case file ZA 2004-5422(CUB)(ZV)(PA2) for more details of the problems we experience here.

These are not one-off anecdotes but are quite common with outdoor/rooftop spaces. Rooftop uses are generally harder to trace if and when they become a problem, and the LAMC noise ordinance is all but useless. How does one measure DB levels at the property line when the source is 160-feet in the air? In general, noise impacts are very erratic, arbitrary, and unpredictable. One location will be greatly impacted and a few feet away it will be minimal. Noise issues can change with the weather and which way the wind is blowing. When nightclubs and bars are at ground level, at least the noise is easily traced and more predictable and contained, but when raised in the air the impacts change and so does any accountability. Furthermore, a lot of operators don't care about noise violation tickets, figuring it as the cost of doing business and in no way are citations a disincentive for them. Events might earn the operator tens of thousands (even hundreds of thousand) of dollars a night, why would they care about a $200 ticket? Regardless, there is scarce and difficult enforcement for these quality of life issues, which is why the discretionary actions before you should be carefully considered and responsibly decided.

Hollywood has seen an explosion of hotel-with-activated-rooftop-development projects in the last couple years with at least 6 other hotel rooftops within 500-feet of this hotel. When the radius is widened out to 1,500- feet, there are at least 10. This is an important and significant fact. So many rooftops serving alcohol will clearly have a cumulative noise impact, and with so many competing potential suspects, make enforcement of noise regulations daunting if not outright impossible.

There are only a few conditions in a Zoning Administrators tool bag to prevent these locations from becoming de facto nightclubs. They are an earlier closing time, no Live Entertainment/DJ, no amplified music, and no cover charge/restricted access. CUB's should have effective, all-encompassing, comprehensive conditions for a worst-case scenario. Many CUB's lack them and it makes enforcement frustrating and exhausting, and a waste of resources in time and money for LAPD and the City.

It is also easier to apply conditions ahead of time than try and add them after problems arise. Getting a bad operator to comply and be a good neighbor is not an easy task. Not only does it require a lot of resources from LAPD, Building and Safety, and Planning, it is not an expeditious process. Revocation of a grant typically takes 3-6 years. In the meantime, neighbors and the community suffer.

In the past, I have recommended rooftop CUB conditions that are helpful in preventing these worst case scenarios from happening. This project/applicant is different. They have a track record and I have to say, shame on me, because they have not fooled me just once, but twice.

As I mentioned earlier, the same applicant before you in this case worked to entitled the Kress and was insistent on the rooftop use. I used to hear the Kress every night it was open and it was on Hollywood Blvd. and well over 1600 feet away from my house. The rooftop was entitled and sworn, by this same applicant, to be a quiet bar for 36 people with "background, ambient music only", but soon after opening became a full-on nightclub with blasting music

and flashing lights. He explained it away by blaming it on the operator and that he was not at fault, even though he was the one that vouched for it.

The second example we have from this applicant AND operator is right next door at the Dream Hotel, 6417 Selma, at their rooftop called the Highlight Room. Again, they swore and promised repeatedly that the rooftop would not be a nuisance. It is and has been since it's third day of opening. It clearly operates as a nightclub. When I am impacted by noise, I just do not guess who the violator is. When I have the energy and intend to complain, I get up and trace the noise. After lying in bed past midnight and hearing songs clear as day, I have traced the noise many, many times to the Highlight Room. Please confer with LAPD VICE what kind of operator they have been. I know in the past, they have been cited at least twice for Public Dancing (I believe the pool gets covered to turn into a dance floor) and at least twice for requiring an admission/cover charge/table fee to get in. Both of which they are not allowed to do. I do not know the latest enforcement actions, but keep in mind that the real impactful time is the better weather of summer and fall, which I am not looking forward to. Many reviews on Yelp also attest to it being a club, and their own website has pictures and advertises DJ's, which aren't allowed.

In considering CUB's, a lot of emphasis has always been placed on the operator and the operation and if they have a track record or not. These guys do, and it's not good. They have a long history of misrepresentation and manipulation. They're not honoring their conditions next door, they've pulled shenanigans (which I will discuss) already on this project, and they don't deserve any benefit of doubt. There is no doubt, we know what they do and have done.

I ask that the rooftop CUB be DENIED and conditions be applied to the SPR to thwart an end run such as special events and ABC one-day catering permits.

Requested SPR conditions regarding the rooftop are:
- closing time of 10PM
- no amplified music
- no live music
- no live entertainment
- no DJ/karaoke
- no dancing
- no special events
- Any music, sound, noise, or vibration shall not be audible or felt beyond that part of the premises which is under the control of the applicant
- After-hour use of the facility, other than routine maintenance and clean-up, is not permitted
- The applicant shall not sublet the premises to outside "promoters" for nightclub activity.

The second major issue we have with the project is the fact that it is illegally piecemealing it's entitlements under CEQA.

On January 14, 2016 I wrote DCP a letter (attached) regarding ZA 2015- 2671 (CUB), ENV 2015-2672-MND at this same location, 6421 West Selma Ave., 90028, by this same applicant, and clearly informed Planning of the applicant 's intention for the property.

My letter stated: "The applicant is the same owner/developer/applicant for the abutting property under construction to the east at 6415 Selma (Dream Hotel I), in which the recent entitlement CPC-2007-3931-ZC-HD-CU-CUP-ZV-SPR, and most recent ZA 2013-3504(ZV) which was considered by the City in the spring of 2014, were sought and granted. At the latest time of those entitlements, the project before you (and more) was planned and known by the applicant and not disclosed in any CEQA document or action.

The attachment "HIRC- Marketing-Company Teaser" is the applicant's fundraising brochure that clearly shows the restaurant "Tao" presented in ZA 2015-2671/ ENV 2015-2672-MND before you. It also shows their plan for another hotel (in the past known as Dream II) where the ostensibly now declared one-story retail building has been submitted as part of this project before you. The date on the brochure appears to be 4-11-2014. I received this brochure in May of 2014 and was contacted much earlier than that about a "Dream II" project. There are a few other red flags about the piecemealing than just the brochure. Please review the building permit history for 6421 Selma, the project before you. Apparently they were claiming at first, and for a long time, that they intended to build three levels, approx. 60,000 sq. ft., of underground "storage". It seemed so ridiculous that not even Building & Safety bought their ruse. It has now been declared to be just what it looks like- parking. Could it be parking for a future hotel that they plan to build but that they are not divulging? Please investigate the building permit history with Building & Safety. Furthermore, why is the applicant listed as "6421 Selma Wilcox Hotel, LLC" if they do not plan to build a hotel here? "

As I pointed out in that letter, and reiterate here, to not file all foreseen applications and requests at the same time is to piecemeal a project and a serious and clear violation of CEQA. This opens the City up to costly litigation if allowed to continue. It was unmistakingly obvious at that time, January of 2016 that the applicant would later file for future discretionary actions, which by their own admission in their brochure they had planned, and they now have sought. And if a layperson like myself could plainly see that those entitlements would be sought in the future, it is more than reasonable to expect that the professionals in the Planning Dept could see it as well, and can see it now in retrospect. It is a clear disregard for the law. Based on the premeditated strategy to entitle the project in pieces, all the discretionary actions before you should be DENIED.

Findings:

Zone Variance
LAMC Section 12.27

1. *That strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the Zoning regulations.*

Denial of the request to permit outdoor dining on the rooftop will not result in practical difficulty or unnecessary hardship. This fact is best supported by the existence of viable hotels in Hollywood that do not have rooftop bars.

The general purpose and intent of the zoning regulations are defined in Section 12.02 of LAMC " to encourage the most appropriate use of land; to conserve and stabilize the value of property.... and to promote health, safety, and the general welfare all in accordance with the comprehensive plan." Outdoor and rooftop bars have already proven to be disruptive and problematic. Enforcement of the Noise Ordinance is virtually non-existent and when eventually pursued is ineffectual and a waste of City resources. Rooftop bars run down surrounding property values and degrade the health and general welfare of surrounding community members through lack of sleep.

2. *That there are special circumstances applicable to the subject property such as size, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity.*

The lot in question is flat, rectangular and free of any obstructions whatsoever. There are no limiting physical conditions, special circumstances, topography, location or surroundings of any kind that necessitate this variance. The applicant may be trying to put too much on the lot, but there is nothing about the lot that is any different or disadvantaged than any other lot in the vicinity. This finding simply cannot be made.

The applicant states in their findings that " the Property's unique features" are different to other properties in the immediate vicinity. How, and what is unique about this property? They do not say, and it is a fact that there is nothing unique about this property or a difference in any other property nearby.

3. *That such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.*

The variance is clearly not necessary for preservation and enjoyment of a substantial property right in the vicinity. For every hotel with rooftop bar in the area, I can show you 3 hotels without a rooftop bar. There is no special circumstances, practical difficulty, or unnecessary hardships that necessitates this variance. The applicant just wants to make more money. If there were any of those things, every ad all hotels would have rooftop bars.

4. *That the granting of such variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.*

The granting of the variance WILL be materially detrimental to public welfare in the vicinity. The residential buildings in the immediate area and the residential neighborhood near by will have a lower quality of life and suffer from the impacts of this project. A rooftop deck without will create intrusive noise for all the surrounding residences within 2000 feet, possibly further. A rooftop with 100 people, let alone 277 plus, only talking could easily negatively affect the area within 1000 feet. This is one reason why LAMC Section 12.14-A,1(b)(3) requires a variance for outdoor eating areas above ground level. This is not conjecture on my

part. We have a lot of experience living around a lot of alcohol consumption, clubs, restaurants and bars. We have experience with rooftop bars. Two rooftop uses in the recent past, The Kress and Drai's at the W Hotel, both caused awful problems. The Kress is particularly relevant here because the same applicant before you in this case worked to entitled the Kress and was insistent on the rooftop use. I used to hear the Kress every night it was open and it was on Hollywood Blvd. and well over 1600 feet away from my house. The rooftop was entitled and sworn, by this same applicant, to be a quiet bar for 36 people with "background, ambient music only", but soon after opening became a full-on nightclub with blasting music and flashing lights. Currently we are experiencing problems from the new Dream Hotel's rooftop at 6417 Selma. Though the intent of its CUB conditions are clearly for it not to be a disruption, and not operated as a nightclub, it is being operated at night as a nightclub, and has been a disruption. Nightclubs and bars don't even start to get loud and packed until 11:30PM-12 midnight.
Rooftop uses are harder to trace if and when they become a problem, and the LAMC noise ordinance is all but useless. How does one measure DB levels at the property line when the source is 100-feet in the air? Furthermore, a lot of operators don't care about noise violation tickets, figuring it as the cost of doing business and in no way are citations a disincentive for them. Events might earn the operator tens of thousands of dollars a night, why would they care about a $200 ticket? Regardless, there is virtually no enforcement for these quality of life issues.

5. *That the granting of such variance will not adversely affect any element of the General Plan.*

The granting of the variance WILL adversely affect the Noise Element and Framework Element of the General Plan. Chapter III of the Noise Element of the General Plan states that the Goal of the Plan is " A City where noise does not reduce the quality of urban life." Objective 2 (Non airport) of the Plan states " Reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive uses." The Policy states " 2.2 Enforce and/or implement applicable city, state and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance." Objective 3 (Land Use Development) of the Plan states "Reduce or eliminate noise impacts associated with proposed development of land and changes in land use", and the Policy states" Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts."

Goal 3C and Objective 3.7 of the Framework Element of the General Plan state "Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents" and "Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved" respectively.

The residential buildings in the immediate area and the residential neighborhood near by will have a lower quality of life and suffer from the impacts of this project. A rooftop deck will create intrusive noise for all the surrounding residences within 2000 feet, possibly further. Not only is there existing residential neighborhoods within 600- feet, there are three future

mixed-use developments directly to the north and south of this project within 200-feet. The hotel with the rooftop proposed does not conform to the General Plan cited above.

Site Plan Review
LAMC Section 16.05

1. That the project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The Project is NOT in substantial conformance with the purposes, intent and provision of the General Plan and Hollywood Community Plan.

Chapter III of the Noise Element of the General Plan states that the Goal of the Plan is " A City where noise does not reduce the quality of urban life." Objective 2 (Non airport) of the Plan states " Reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive uses." The Policy states " 2.2 Enforce and/or implement applicable city, state and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance." Objective 3 (Land Use Development) of the Plan states "Reduce or eliminate noise impacts associated with proposed development of land and changes in land use", and the Policy states" Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts."

Goal 3C and Objective 3.7 of the Framework Element of the General Plan state "Multi-family neighborhoods that enhance the quality of life for the City's existing and future residents" and "Provide for the stability and enhancement of multi-family residential neighborhoods and allow for growth in areas where there is sufficient public infrastructure and services and the residents' quality of life can be maintained or improved" respectively.

The residential buildings in the immediate area and the residential neighborhood near by will have a lower quality of life and suffer from the impacts of this project. A rooftop deck will create intrusive noise for all the surrounding residences within 2000 feet, possibly further. A rooftop with 100 people only talking could easily negatively affect the area within 1000 feet. This is one reason why LAMC Section 12.14-A,1(b)(3) requires a variance for outdoor eating areas above ground level. The hotel with the rooftop proposed does not conform to the General Plan cited above.

The 1988 Hollywood Community Plan, Objective #3 states "To encourage the preservation and enhancement of the varied and distinctive residential character of the Community...". Under the Policies Chapter, Land Use, Commerce, Features headings, the Plan states for the Hollywood Center (both sides Hollywood and Sunset Blvds., between La Brea and Gower) that " Future development should be compatible with existing commercial development, surrounding residential neighborhoods, and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area." Though this project is not considered to be in the Center, the spirit that the Community Plan encourages here applies.

The hotel rooftop deck proposed, will not enhance any surrounding residential community and is against the idea for the Center to be built with residential and commercial uses that coexist and operate in harmony with each other. The project is not compatible with surrounding residential neighborhoods as the Plan desires.

2. That the project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The project will not be compatible with existing and future development on adjacent and neighboring properties, mainly due to it's activated rooftop.

3. That any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The Project is not a residential project. It is a business operation and with an activated rooftop that does not minimize impacts to it's neighbors but generates impacts to its neighbors.

Conditional Use Beverage
LAMC Section 12.24-W,1,

1.) *that the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.*

A rooftop with alcohol service will NOT provide a service that is essential, and especially will NOT be beneficial to the community. It will have the great potential to be a nuisance to the community by disturbing thousands of residents in the quiet enjoyment of their property. Both food and alcohol are readily and widely available in the immediate area, so the project will not be providing any service to the community than the community already has in abundance.

2.) *that the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;*

The operation and significant feature of rooftop alcohol sales will degrade the surrounding neighborhood, both commercial and residentially zoned. More alcohol in an already alcohol over-concentrated area will further jeopardize public safety via drunk driving, and the accompanying crime and behavior that goes along with so much alcohol consumption.

3.) *that the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan*

The project does NOT conform to the purpose, intent or provision of the General Plan. Chapter III of the Noise Element of the General Plan states that the Goal of the Plan is " A City where noise does not reduce the quality of urban life." Objective 2 (Non airport) of the Plan states " Reduce or eliminate nonairport related intrusive noise, especially relative to noise sensitive

uses." The Policy states " 2.2 Enforce and/or implement applicable city, state and federal regulations intended to mitigate proposed noise producing activities, reduce intrusive noise and alleviate noise that is deemed a public nuisance." Objective 3 (Land Use Development) of the Plan states "Reduce or eliminate noise impacts associated with proposed development of land and changes in land use", and the Policy states" Develop land use policies and programs that will reduce or eliminate potential and existing noise impacts."

A rooftop bar and special events will create intrusive noise for all the surrounding residential areas within 2000 feet, possibly further. A rooftop use with just 100 people only talking and under the influence of alcohol could easily affect residential area within 1000 feet, depending on weather. This is one reason why LAMC requires a variance for outdoor eating area above ground level. Any rooftop use does not conform in any way to the General Plan cited above.

In the 1988 Hollywood Community Plan, Objective #3 states "To encourage the preservation and enhancement of the varied and distinctive residential character of the Community...". Under the Policies Chapter, Land Use, Commerce, Features headings, the Plan states for the Hollywood Center (both sides Hollywood and Sunset Blvds., between La Brea and Gower) that " Future development should be compatible with existing commercial development, surrounding residential neighborhoods...Developments combining residential and commercial uses are especially encouraged in this Center area."

Any rooftop bar use, with or without live entertainment, amplified music, special events, etc. will not enhance any surrounding residential community and is against the idea for the Center to be built with residential and commercial uses that coexist and operate in harmony with each other as the Plan desires.

The three additional Findings required for alcohol use (and my response):

1.)that the proposed use will not adversely affect the welfare of the pertinent community;
Rooftop alcohol sales and consumption will negatively affect the community, as has already been stated, and as has already been demonstrated in the past at such venues as The Kress (6608 Hollywood Blvd.). This type of use will cause the surrounding residential areas to deteriorate. Quiet, law abiding and beneficial persons being negatively impacted from rooftop intrusive noise will abandon the community and move to areas without such problems. The only people who will want to live here will be young and here to "party". I have seen this happen in sub- neighborhoods and certain apartment buildings in Hollywood for the last 12 years. The good residents leave because of all the nightclubs, noise, drinking and partying that goes on in Hollywood. This is a fact and the results of rooftop CUB's do not need speculation or hypothesis. We know what happens when people and alcohol and elevation are combined in the out of doors. Residents and community suffering is the outcome.

2.)that the granting of the application will not result in an ***undue concentration*** *of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and*

disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area;
There is an overconcentration of alcohol licenses in the area. The pending license is in Census Tract 1907. It has 54 on-sale retail licenses! This more than abundantly serves the public convenience.
The Census Tract is permitted to have a maximum of 3 on-site licenses. The Census Tract does not need one more and aside from this application before you there are many more in the planning stages. This is an over-concentration by any definition and the weight of so many establishments is crushing the area. It does not need one more.

3.)that the proposed use ***will not detrimentally affect nearby residentially zoned communities*** *in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, -hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine*
The proposed use WILL detrimentally affect nearby residentially zoned communities because it is an outdoor bar and special events that is not enclosed and 100 feet in the air. This fact has been demonstrated over and over in the immediate area including right next door at the applicant own Dream Hotel. To reiterate that set of facts- they not following the rules there, they most likely will not do it here.

MND:

The MND is wholly inadequate in regards to operational noise. First off, there is a discrepancy between the hearing notice and the MND in regards to the rooftop seating. The Hearing Notice states 187 seats for the roofdeck. The MND studied seating for 73 on the roof, a difference of 114 seats, which is extremely significant. It is also in complete denial about the impacts from actual operating rooftops such as Dream.
The MND also states: "This rooftop area could host events including DJ performances with amplified music". The Hearing Notice does not state that live music is being sought.

Based on the foregoing facts and testimony, I urge you to DENY the Zone Variance and rooftop CUB.

In Los Angeles we all argue over the impacts of new projects. Historical Preservation, parking, traffic, affect us all equally and in our shared spaces. But noise intrusion into someone's home is a completely different thing. I think it is reasonable, and a right, to want to enjoy one's private personal home without someone or something entering and disturbing us.

Thank you for your time,

David Carrera
6530 Leland Way
L.A., CA 90028

Department of City Planning
Expedited Processing Section
200 N. Spring St., Room 721
Los Angeles, CA 90012
Attn: Heather Bleemers

January 14, 2016

RE: ZA 2015- 2671 (CUB)
ENV 2015-2672-MND
6421-6429 West Selma

Dear Ms. Bleemers and/or other appropriate City Planners,

There are some worrying details about the requested entitlements ZA 2015-2671(CUB) and ENV-2015-2672-MND before you. I have concerns with both the environmental MND and also with the CUB specifically.

I believe that the applicant is piecemealing multiple projects, which is a clear violation of CEQA, and opens the City up to costly litigation if allowed to continue.

The applicant is the same owner/developer/applicant for the abutting property under construction to the east at 6415 Selma (Dream Hotel I), in which the recent entitlement CPC-2007-3931-ZC-HD-CU-CUP-ZV-SPR, and most recent ZA 2013-3504(ZV) which was considered by the City in the spring of 2014, were sought and granted. At the latest time of those entitlements, the project before you (and more) was planned and known by the applicant and not disclosed in any CEQA document or action.

The attachment "HIRC- Marketing-Company Teaser" is the applicant's fundraising brochure that clearly shows the restaurant "Tao" presented in ZA 2015-2671/ ENV 2015-2672-MND before you. It also shows their plan for another hotel (in the past known as Dream II) where the ostensibly now declared one-story retail building has been submitted as part of this project before you. The date on the brochure appears to be 4-11-2014. I received this brochure in May of 2014 and was contacted much earlier than that about a "Dream II" project. There are a few other red flags about the piecemealing than just the brochure. Please review the building permit history for 6421 Selma, the project before you. Apparently they were claiming at first, and for a long time, that they intended to build three levels, approx. 60,000 sq. ft., of underground "storage". It seemed so ridiculous that not even Building & Safety bought their ruse. It has now been declared to be just what it looks like- parking. Could it be parking for a future hotel that they plan to build but that they are not divulging? Please investigate the building permit history with Building & Safety. Furthermore, why is the applicant listed as "6421 Selma Wilcox Hotel, LLC" if they do not plan to build a hotel here?

In regards to the CUB directly, Hollywood has an over-concentration of alcohol sales and the community is vastly impacted from the negative effects of so much alcohol and the people and behavior that that attracts. We really don't need any more. The over-concentration not only adversely affects the quality of life for residents, but LAPD's limited resources. Also, please keep in mind that there are many thousands of new residential units being built, or in the planning stages, in Hollywood. This increased density of residents will create more conflict in the future between the people living here and the people that come to party (and the businesses that cater to that partying). Careful planning and thoughtful conditions should be applied to all new and renewing entitlements to minimize any future conflicts. It can be very helpful to review an intended operator and their desired business plan, but a CUB is a land grant, not an operational grant, and we have seen much abuse of this in the past. Applicants say all kinds of things, and even if true, things happen, plans change, bills need to be paid, and their business model changes.

At 20,000 sq.ft. and 333 seats this is a big space and has the very real potential to sink to the lowest common dominator to stay in business, which would be to emphasize alcohol sales, where all the money is, and be come a de facto bar or nightclub. The bar/lounge area is already a substantial 2,000+ sq. ft.

If you see to grant this request, please attach meaningful and effective conditions to protect the community. I request the following conditions:

- closing time of 11PM
- no live entertainment
- no dancing
- Any music, sound, noise, or vibration shall not be audible or felt beyond that part of the premises which is under the control of the applicant
- no cover charge or requirement to buy tickets (restricted access)
- no restricting age (can't do this with a type 47 anyhow, but should be stated)
- no bottle service
- no 3rd party or special events
- 1-year Plan Approval
- Plan Approval for change of Owner/Operator
- 5-year grant

I know Planning no longer likes to add alcohol related conditions into CUB's but they are important to still include because ABC copies the CUB conditions into the ABC license, where the conditions then becomes enforceable. I have seen ABC conditions in recent CUB's be put into a separate paragraph for ABC in the determination. Maybe that can be done here as well.

The condition *Any music, sound, noise, or vibration shall not be audible or felt beyond that part of the premises which is under the control of the applicant* is vital. Even though they are not requesting any outdoor areas, we have experienced serious noise issues from fully enclosed establishments. Just because a bar or restaurant is fully enclosed does not guarantee they will not be a nuisance noise-wise. Only relying on the LAMC noise ordinance

is inadequate. The LAMC noise ordinance condition is weak, cumbersome, and essentially unenforceable (a cop will never show up and do anything), and it gives a false sense of security to community. The above suggested condition is concrete and clear.

The applicant's representative has claimed that the project would entail the elimination of two CUB's on the neighboring parcel so even with the addition of this CUB, the project will equal a net minus of 1 CUB for the area. All of which sounds like a good thing, but when this idea is looked at a little closer, it does not necessarily add up. First off, the two existing CUB's are a 3,174 sq. ft. restaurant and a 1,650 sq. ft. piano bar, which combined, add up to 4,824 sq. ft. and are less than one quarter of the proposed request before you of 20,624 sq. ft. So they are getting a net increase of 15,800 sq. ft. of CUB floor area. Secondly, how do we know they will not apply for one or two new CUB's in the future in the supposed adjoining retail/commercial space ? If there is a way to condition that no new CUB's for these parcels can be granted, then that would be a potential positive for the community. Are they willingly to agree to a condition of approval that no more CUB's will be sought or granted for the rest of the development?

Lastly, in case you have not read the October 6, 2014 letter from LAPD Chief Charlie Beck and LAPD Captain Zarcone to Linn Wyatt, I have attached it here for your information and as part of the record. They understand the issues we face living here, and I am hoping you can too. I am cautiously optimistic we are leaving the partying, drinking, drugging, and throwing-up-in-the-street phase behind, and with the Planning Dept.'s help and guidance start to grow up and become a nice place to live.

Thank you,

David Carrera
6530 Leland Way
LA, CA 90028

PG 175

Connect Create Collaborate

May Sirinopwongsagon <may.sirinopwongsagon@lacity.org>

6421 Selma/1600 Wilcox, VTT-74406, CPC-2016-2601-VZC-HD-CUB-ZAA-SPR, ENV-2016-2602-MND

Casey Maddren <cmaddren@gmail.com> Mon, Mar 26, 2018 at 9:55 PM
To: May Sirinopwongsagon <may.sirinopwongsagon@lacity.org>, craig.bullock@lacity.org, 39467@lapd.online

March 26, 2018

May Sirinopwongsagon, City Planner
200 N. Spring St. Room 621
Los Angeles, CA 90012

Re: 6421 Selma/1600 Wilcox

Case Nos.: VTT-74406, CPC-2016-2601-VZC-HD-CUB-ZAA-SPR, ENV-2016-2602-MND

OPPOSE ITEM 3 - VESTING ZONE CHANGE AND HEIGHT DISTRICT CHANGE

OPPOSE ITEM 4 - CUP FOR SALE/DISPENSING OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH NEW RESTAURANT, IN-ROOM MINI-BARS, ROOFTOP BAR/LOUNGE

Dear Ms. Sirinopwongsagon,

I am writing to express my strong objections to approval of two of the requests listed in the recent hearing notice for this project.

A. Piecemealing
This is piecemealing, pure and simple. This project has already been approved. State law prohibits the gradual approval of a project in increments over time. CEQA requires that all requested entitlements be included in the initial project proposal to allow the planning agency to review and citizens to comment on the WHOLE project.

B. Alcohol
It is unbelievable that the DCP is considering the approval of yet another liquor permit in the Hollywood area. LAPD Chief Beck wrote to the DCP in 2014 to explain that the area was oversaturated at that time, and that it was contributing to a rise in violent crime. Since then the DCP has granted many more permits, and violent crime has risen every year. I'm attaching the most recent stats for the Hollywood Division. They show that for the year to date there has been a 25% increase in violent crime over 2017. Between the restaurant, the rooftop bar, and the in-room mini-bars, granting this request would allow guests access to alcohol 24/7. Hollywood is awash in booze already, and approving this will only make a bad situation worse.

To make matters worse, this project appears to be about 500 feet from Selma Elementary School. I was stunned when the DCP approved the tommie hotel, also on Selma, which will rise on a site about 300 feet from the school, especially since the MND for that project didn't even mention the school in the section entitled "Surrounding Uses". **When we add in the Dream Hotel and Mama Shelter, this means that when all projects are completed we will have four hotels serving a full line of alcohol less than three blocks from an elementary school. While I'm sure the party scene will be most intense at night, these establishments will be serving alcohol throughout the day. Allowing this degree of alcohol concentration in such close proximity to a school will significantly increase the chance of a child being hit by a drunk driver.**

C. Live Entertainment
While the hearing notice does not directly refer to live entertainment, it's pretty much certain that this is one of the things that the phrase "other accessory uses" refers to. If this is the case, it is deeply disturbing that the DCP has not explicitly stated that live entertainment will be offered. Citizens rely on public agencies to give complete and accurate information about projects that impact their community. If down the road we find out that the developer is indeed offering live

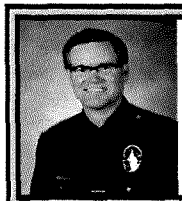
entertainment, it will be clear that the LACP has chosen to provide cover for real est. investors instead of serving the community.

I ask that you deny item 3 (vesting zone change and height district change) and item 4 (CUP for sale of alcohol in conjunction with new restaurant, in-room mini-bars, rooftop bar/lounge).

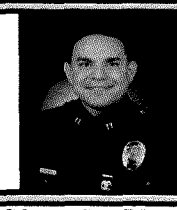
Sincerely,
Casey Maddren
2141 Cahuenga Blvd., Apt. 17
Los Angeles, CA 90068

LAPD Hlwd Stats 180317.pdf
44K

COMPSTAT
Hollywood Area Profile
02/18/18 - 03/17/18



AREA
COMMANDING OFFICER: Cory S. Palka
Rank: CAPT-III
Date of Rank: August 10, 2014
Date Assigned Area: March 6, 2016
LAPD Appointment Date: July 7, 1986



PATROL DIVISION
COMMANDING OFFICER: Jonathan S. Pinto
Rank: CAPT-I
Date of Rank: May 1, 2017
Date Assigned Area: May 1, 2017
LAPD Appointment Date: January 22, 1996

CRIME STATISTICS for week ending 03/17/18

VIOLENT CRIMES	02/18/18 TO 03/17/18	01/21/18 TO 02/17/18	% Change	01/21/18 TO 02/17/18	12/24/17 TO 01/20/18	% Change	YTD 2018	YTD 2017	% Change	YTD 2018	YTD 2016	% Change
HOMICIDE	1	2	-50.0%	2	1	100.0%	4	0	N.C.*	4	1	300.0%
RAPE (121,122)	8	5	60.0%	5	4	25.0%	16	18	-11.1%	16	19	-15.8%
RAPE (815,820,821)	3	8	-62.5%	8	2	300.0%	12	11	9.1%	12	15	-20.0%
TOTAL RAPE	11	13	-15.4%	13	6	116.7%	28	29	-3.4%	28	34	-17.6%
ROBBERY	39	55	-29.1%	55	63	-12.7%	141	95	48.4%	141	104	35.6%
AGGRAVATED ASSAULTS	47	54	-13.0%	54	65	-16.9%	151	121	24.8%	151	120	25.8%
TOTAL VIOLENT	98	124	-21.0%	124	135	-8.1%	324	245	32.2%	324	259	25.1%

PROPERTY CRIMES	02/18/18 TO 03/17/18	01/21/18 TO 02/17/18	% Change	01/21/18 TO 02/17/18	12/24/17 TO 01/20/18	% Change	YTD 2018	YTD 2017	% Change	YTD 2018	YTD 2016	% Change
BURGLARY	29	39	-25.6%	39	41	-4.9%	97	92	5.4%	97	114	-14.9%
MOTOR VEHICLE THEFT	43	37	16.2%	37	45	-17.8%	115	132	-12.9%	115	125	-8.0%
BTFV	97	142	-31.7%	142	136	4.4%	338	365	-7.4%	338	326	3.7%
PERSONAL/OTHER THEFT	146	149	-2.0%	149	129	15.5%	395	356	11.0%	395	396	-0.3%
TOTAL PROPERTY	315	367	-14.2%	367	351	4.6%	945	945	0.0%	945	961	-1.7%
TOTAL PART I	413	491	-15.9%	491	486	1.0%	1269	1190	6.6%	1269	1220	4.0%

Child/Spousal Abuse (Part I & II)*	49	49	0.0%	49	45	8.9%	127	126	0.8%	127	105	21.0%
SHOTS FIRED	0	1	-100.0%	1	7	-85.7%	6	4	50.0%	6	6	0.0%
SHOOTING VICTIMS	1	1	0.0%	1	4	-75.0%	5	5	0.0%	5	3	66.7%

ARREST STATISTICS for week ending 03/17/18

ARRESTS	02/18/18 TO 03/17/18	01/21/18 TO 02/17/18	% Change	01/21/18 TO 02/17/18	12/24/17 TO 01/20/18	% Change	YTD 2018	YTD 2017	% Change	YTD 2018	YTD 2016	% Change
HOMICIDE	1	0	N.C.*	0	0	N.C.*	1	0	N.C.*	1	1	0.0%
RAPE	1	1	0.0%	1	0	N.C.*	2	1	100.0%	2	6	-66.7%
ROBBERY	14	15	-6.7%	15	26	-42.3%	48	42	14.3%	48	33	45.5%
AGGRAVATED ASSAULT**	39	53	-26.4%	53	45	17.8%	131	85	54.1%	131	104	26.0%
BURGLARY	2	16	-87.5%	16	8	100.0%	24	13	84.6%	24	24	0.0%
LARCENY	23	33	-30.3%	33	12	175.0%	67	45	48.9%	67	92	-27.2%
MOTOR VEHICLE THEFT	10	15	-33.3%	15	11	36.4%	35	43	-18.6%	35	24	45.8%
TOTAL VIOLENT	55	69	-20.3%	69	71	-2.8%	182	128	42.2%	182	144	26.4%
TOTAL PART I	90	133	-32.3%	133	102	30.4%	308	229	34.5%	308	284	8.5%
TOTAL ALL ARRESTS	560	858	-34.7%	858	656	30.8%	1909	1701	12.2%	1909	2609	-26.8%

*Part II Child/Spousal Abuse Simple Assaults not included in Part I Aggravated Assaults above to comply with the FBI's Uniform Crime Reporting guidelines.
**Statistics include domestic violence.
N.C. - Not Calculable

Statistics are based on the date the crime or arrest occurred.
Arrest statistics include arrests made by outside agencies.

Connect Create Collaborate

May Sirinopwongsagon <may.sirinopwongsagon@lacity.org>

VTT-74406,CPC-2016-2601-VZC-HD-CUB-ZAA-SPR

Scott Campbell <aftonneighbor@gmail.com> Tue, Mar 27, 2018 at 11:46 PM
To: may.sirinopwongsagon@lacity.org
Cc: Laurie Goldman <laurielgoldman@earthlink.net>, Kira Teshima <KTeshima@sheppardmullin.com>, aftonneighbor@gmail.com

Dear Ms. Sirinopwongsagon –

Thank you for the opportunity to weigh in on the Selma-Wilcox Hotel project. Our organization has carefully vetted this project and determined that it is compatible with the 'hotel row' that the community has long desired for this area of Hollywood.

Please find our letter of support attached. We hope you approve this project.

Take Care,

Scott

Scott Campbell

President, Founding Board Member

HNC

Hollywood Network Coalition

323-252-9870

HNC letter - Mar 2018.docx
21K

H N C

Hollywood Network Coalition

Laurie Goldman, *Chair*
Scott Campbell, *President*
David Carrera, *V. President*
Dave Gajda, *V. President*
Chris Pearson, *V. President*
Todd Warner, *Secretary*
Denise DeCarlo, *Treasurer*
George Abou-Daoud
Fabio Conti
Alfredo Hernandez

Edward V. Hunt
Grant King
Toby Johnson
Jose Malagon
Jacques Massachi
Sharyn Romano
Susan Sempers
Thaddeus Hunter Smith
Gary Taglyan

March 27, 2018

Ms. May Sirinopwongsagon
Department of City Planning
200 North Spring Street, RM 621
Los Angeles, CA 90012
E-mail: may.sirinopwongsagon@lacity.org

RE: VTT-74406
CPC-2016-2601-VZC-HD-CUB-ZAA-SPR

Dear Ms. Sirinopwongsagon,

Hollywood Network Coalition (HNC) is pleased to advise you of our recommendation for the above referenced case. We are a broad-based organization of Hollywood residents, businesses, educational institutions, and non-profit organizations.

As President of this organization, I have lived and worked in Hollywood for almost 20 years. I have been a homeowner for most of that time, a renter, and a worker for the whole time. I was also President and Vice-President of the Central Hollywood Neighborhood Council for 10 years from 2004 to 2014.

We are pleased to support the applicant and their hotel project in the neighborhood. I've known the applicants for over ten years, back when I was President of Central Hollywood Neighborhood Council and co-chair of its PLUM Committee. I know they work very hard to create projects that honor the great history of Hollywood as an entertainment destination.

The community, including the neighborhood council, the Cahuenga Coalition, and the Hollywood Chamber have long desired this area to be 'hotel row' for our many tourists so they may stay in Hollywood longer than it takes to snap a few pictures of the Stars on the Walk of Fame.

This project will activate both Selma and Wilcox, creating an exciting and vibrant neighborhood. I look forward to bringing my friends and family to visit the project when it's completed.

I hope you support this project. On behalf of HNC, I thank you for considering our recommendation. Please include HNC in your future notifications.

Sincerely,

Scott Campbell

Scott Campbell, President
323.252.9870 / AftonNeighbor@gmail.com

UNITEHERE! Local 11

464 Lucas Ave., Suite 201 • Los Angeles, California 90017 • (213) 481-8530 • FAX (213) 481-0352

To: Members of the Los Angeles City Planning Commission,
& Los Angeles Department of City Planning

cc. May Sirinopwongsagon
LA City Planning Department

RE: Dream Phase 2 Hotel project; Initial Study/Mitigated Negative Declaration ,

case No. ENV-2016-2602-MND;

6421-6429 W Selma Ave & 1600-1604 N Wilcox Ave; Hollywood..

This letter is written on behalf of the 28,000 members of UNITE HERE! Local 11, the hospitality and restaurant employees' union. Our members live and work across LA and Orange County, including in the City of West Hollywood, and, Phoenix, Arizona. The Mitigated Negative Declaration fails to adequately analyze multiple significant environmental impacts from the proposed project. Various points of analysis in the MND are in error, are incomplete, or are absent from it entirely. The MND is inadequate for the purposes of CEQA and local law, and should not be adopted. **A full Project-Specific Environmental Impact Report must be prepared.**

The Applicant Improperly Piecemeals Several DREAM Projects

All DREAM projects should proceed together in order to fulfill the basic Legislative goals for CEQA, and comply with the statute. CEQA is constructed around an inclusive definition of "project" for the purpose of preventing public agencies from segmenting projects in a way that diminishes apparent environmental impacts. CEQA mandates "that environmental considerations do not become submerged by chopping a large project into many little ones -- each with a minimal potential impact on the environment - which cumulatively may have disastrous consequences." Bozung v. LAFCO (1975) 13 Cal.3d 263, 283-84 (1975); City of Santee v. County of San Diego (1989) 214 Cal.App.3d 1438, 1452. Before undertaking a project, the lead agency must assess the environmental impacts of all reasonably foreseeable phases of a project and a public agency may not segment a large project into two or more smaller projects in order to mask serious environmental consequences.

The MND identifies several nearby projects specifically, but fails to note that a critical fact; that these are projects proposed, built, and controlled by applicant. In addition to the proposed project, there are three other major hotel projects built, under construction, or recently approved by the city. They are:

- [open]The Dream Phase I (as it is called by Applicant) with 178 rooms, and at least 4581 sq.ft bar/restaurant use.

UNITEHERE! Local 11

464 Lucas Ave., Suite 201 • Los Angeles, California 90017 • (213) 481-8530 • FAX (213) 481-0352

- [under construction] A hotel at 12-story hotel at 1541 Wilcox currently under construction by applicant, with 200 hotel rooms. 1862 sq.ft bar, 4595 Restaurant and Bar
- [post-approval] The Tommie Hotel project at 6516 Selma Avenue, approximately 100 feet from the Project Site, would have 212 hotel, rooms, a 2,308 square feet cafe, & 11,148 square feet restaurant/bar use.

From those facts it appears, and with approval of this MND would functionally be, a single major project comprising upwards of 630 hotel rooms, six or more bars/restaurant spaces in addition to the approved and existing 20,624 sq. ft restaurant on this project site and project's proposed 5,041 rooftop bar, approximating nearly 50,000 square feet of active bar/nightclub/bar & restaurant space within 0 to 350 feet of the project site. These large hotels and bar projects taken together would cover major portions of that block of the land along Selma and Wilcox, with significant contiguous portions to their property (such as Dream Phase I and Phase II, and the Tao Restaurant properties). And applicants have stated further goals for up to potentially 2000 hotel rooms in the area.

Applicant Richard Heyman has spoken publicly about his company's intention of creating an "integrated urban resort," as quoted in a July, 2017 LA Times interview by Roger Vincent (see below). However, neither Heyman nor his company have ever properly presented this full plan for an "integrated urban resort" to the City Planning Department, Planning Commission, City Council, or the public, thus abrogating the rights of public input and review under CEQA and engaging in improper project piecemealing.

Traffic Impacts & Cumulative Analysis

MND improperly dismisses future-with-project impacts, and cumulative traffic impacts. The traffic assessment indicates at least 4 significant traffic impacts, at the Hollywood and Wilcox intersection, and the 4A Selma and Wilcox intersection, and for 4B Selma and Wilcox intersection. The stated mitigations are speculative, or based in voluntary action of others neither the city nor the applicant can control or guarantee. Their ephemeral nature of proposed "mitigations" in the Transportation Demand Management and Monitoring Program (TDMMP) for the identified traffic impacts are not brought below a threshold of significance within the scope of the project.

Mitigations of significant impacts cannot be differed in this way. Even if implemented there is no guarantee the TDMMP will function to the levels desired or expected; thus, the project would create significant impacts that would then be incredibly difficult to correct or mitigate effectively. The trip reduction credits applied to analysis within the MND (70% to the 1,809 sq.ft restaurant, 60% to the rooftop bar) represent a 24% total reduction in estimated car trips and are not properly justified, masking other potentially significant impacts from traffic generated by the operation of the hotel.

UNITEHERE! Local 11

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Additionally, the MND Future Without Project using Current Baseline identifies that six of the ten studied intersections would be at Level of Service E or F during AM and PM peaks by 2020. This MND fails to address the cumulative impacts on traffic from this project plus the dozens of other proposed projects. While a project-specific Environmental Impact Report may be unable to answer every problem arising from the vast array of new development occurring in Hollywood, it is imperative upon DCP and the City to undertake a full and comprehensive cumulative traffic impact study immediately, and with this project.

The State Department of Transportation has repeatedly encouraged the city to do this in letters filed on several other nearby projects (such as Crossroads Hollywood, see attached). By failing to properly study potentially significant cumulative impacts of this and related projects (including adjacent projects *by the same applicant)*, this MND serves to mask those potential impacts for the whole of the Hollywood plan area and vital commercial corridors on Sunset and Hollywood Boulevards.

GHG/Climate Analysis Is Flawed and Outdated

MND does not adequately assess potentially significant impacts on air quality and greenhouse gas emissions from mobile sources, fixed sources, and construction activities. As the project as proposed is not in compliance with current zoning as implemented by both the Hollywood Community Plan and site-specific D limitation imposed via ordinance, the conclusion that there is no inconsistency with SCAQMD Air Quality Management Plan, or the rules in use as drafted by the SCAQMD is also in error and may reach potentially significant impacts if the project is built without mitigation measures.

The Project's GHG emissions are likely significant, and the refusal to include any climate change mitigation measures is dubious. Also, although the MND identifies GHG reduction strategies set forth in the Climate Change Scoping Plan, 2016-2040 SCAG RTP/SCS Actions and Strategies, the Green LA Plan (DEIR, 4.4-53), and the LA Sustainable City pLAn, the MND fails to include the vast majority of the measures in the documents as design features or as mitigation measures. Moreover, the Green LA Plan and LA Sustainable City pLAn were not designed to comply with recent GHG laws like SB32, and were never formally reviewed or evaluated in any CEQA document.

Also, the GHG analysis and conclusions in MND is outdated and needs to be recirculated in light of *Newhall Ranch* and the new SB32 targets. In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. The MND must also consider the 2050 long-term reduction goal set forth by Executive Order S-3-05, which requires California to reduce its statewide emissions to 80 percent below 1990 levels by 2050. By failing to demonstrate compliance

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with these additional reduction goals, the Project's GHG impact analysis is incomplete and inadequate, and the Project's GHG emissions are insufficiently addressed and mitigated.[1]

Project-specific information disclosed in the IS/MND appears to be omitted from the air model used in Appendix C. As a result, the project's construction and operational emissions are underestimated. A Project-specific EIR should be prepared to include an updated GHG analysis that adequately evaluates the impacts that the construction and operation of the Project will have on global climate change and the State's 2035 emissions targets. This apparent discrepancy in land uses between the IS/MND and the air model provided in Appendix C presents a significant issue.

The MND Ignores The Need For Housing At The Site

The Project is zoned for apartment or residential. MND p. 3-117. Yet no housing is provided. According to the UCLA Ziman Center, Los Angeles housing prices have grown about four times faster than incomes since 2000 and "affordable housing production and preservation needs to accelerate." http://www.anderson.ucla.edu/Documents/areas/ctr/ziman/2014-08WPrev.pdf

Los Angeles is the least affordable rental market in the country, according to Harvard University's Joint Center for Housing Studies, and its been ranked the second-least affordable region for middle-class people seeking to buy a home. http://www.latimes.com/opinion/editorials/la-ed-affordable-housing-part-1-20150111-story.html

The City of Los Angeles' Housing Needs Assessment indicates that through September 30, 2021, 20,426 additional housing units are needed in the City for very low-income, 12,435 for low-income, and 13,728 are for moderate income.
http://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch1.pdf

The City's General Plan reflects this urgent need for affordable housing. *See City of Los Angeles General Plan Housing Element* Goal 1 "A City where housing production and preservation result in an

[1] We also question the MND's reliance on statewide mobile source reduction programs and, most seriously, treating measures having nothing to do with the Project as mitigation for the Project impacts. *See California Air Pollution Control Officers Association, Quantifying Greenhouse Gas Mitigation Measures* pp. 32 and A3 at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf ("in order for a project or measure that reduces emissions to count as mitigation of impacts, the reductions have to be 'additional.' Greenhouse gas emission reductions that are otherwise required by law or regulation would appropriately be considered part of the existing baseline. Thus, any resulting emission reduction cannot be construed as appropriate (or additional) for purposes of mitigation under CEQA.") This concept is known as additionality – greenhouse gas emission reductions that are otherwise required by law or regulation are appropriately considered part of the baseline and, pursuant to CEQA Guideline § 15064.4(b)(1), a new project's emission should be compared against that existing baseline. *See* http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf. Emissions reductions that would occur without the Project should not normally qualify as Project mitigation. Thus, this Project needs to do its own fair share, with enforceable, detailed Project-specific mitigations – aside from existing statewide and local measures -- governed by performance standards to guarantee efficacy.

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adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs"; Policy 1.1.1 "Expand affordable home ownership opportunities and support current homeowners in retaining their homeowner status"; Policy 1.1.2 Expand affordable rental housing; Objective 2.5 "Promote a more equitable distribution of affordable housing opportunities throughout the City"; Policy 2.5.1 "Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers"; and Policy 2.5.2 "Foster the development of new affordable housing units citywide and within each Community Plan area". http://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch6.pdf.

The same affordability concerns must be addressed under the governing Hollywood Community Plan and Redevelopment Plan. *See City of Los Angeles Hollywood Community Plan* Objective 3 "To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community . . . [a]dditional low and moderate-income housing is needed in all parts of this Community"; *Hollywood Redevelopment Plan* Goal 300.9 "Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population"; Goal 410.4 "At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for persons and families of low or moderate income; and of such fifteen percent, not less than forty percent (40%) thereof shall be for very low income households"; and Goal 412 "The social needs of the community include but are not limited to the need for day care facilities, housing for very low and low income persons including the elderly, the homeless, and runaways, educational and job training facilities, counseling programs and facilities." http://planning.lacity.org/complan/pdf/HwdCpTxt.pdf; http://www.crala.org/internetsite/Projects/Hollywood/upload/HollywoodRedevelopmentPlan.pdf.

With no housing component, this Project likely is General, Community and Redevelopment Plan inconsistent, not in the "general welfare," and the City may be paying mere lip service to the mandates of its governing Plans. This matters to the 28,000 members of Local 11, who wants to ensure that our members and all fellow Angelenos can afford to live in Los Angeles. This Project does nothing to address these affordable housing goals and policies, and the MND is silent on the affordable housing issue and inconsistency related thereto. *The MND should be recirculated to meaningfully address the affordable housing issue, including a housing nexus study*.

Land Use Findings Cannot Be Made

The CEQA, land use, and other concerns addressed in this letter must be adequately addressed to make the required City Code findings. The entitlements are discretionary, not by right. If the numerous errors and deficiencies discussed herein are not cured, City decisionmakers should reject

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Relevant Group's requested discretionary entitlements because the findings cannot be made. Among the specific findings required include:

- The Project conforms with the public necessity, convenience, general welfare and good zoning practice (*see e.g.,* GPA under LAMC § 12.32.C; VTT under 17.15.C.2; ZC under § 12.32.C.3; CUPs under § 12.24.E.2);
- will enhance the built environment in the surrounding neighborhood or perform a function/service that is essential or beneficial to the community, city, or region (*see e.g.,* CUPs under 12.24.E.1);
- compatible with and will not adversely affect or further degrade adjacent properties (*see e.g.,* CUPs under 12.24.E.2; SPR under § 16.05.F.2);
- substantially conforms to the purpose, intent, and provisions of the General Plan and applicable community or specific plans (*see e.g.,* CUP under LAMC § 12.24.E.3; SPR under § 16.05.F.1).

Conclusion

The MND for this project leaves many potentially significant impacts unaddressed on traffic impacts from the project (cumulative and project specific); Air Quality, Greenhouse Gas Emissions, and cumulative project impacts, and the dangers of project piecemealing for what is in actuality a single 2-300 Million Dollar development. The project requires a full Environmental Impact Report be done to properly and completely assess and analyze the myriad significant and cumulative impacts it would have on the environment and residents. The MND is woefully incomplete and should not be adopted. *A full Project-Specific EIR must be prepared.*

Respectfully,
Elle Farmer
Research Analyst
UNITE HERE! Local 11

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[[[The following are excerpts from a July 2017 interview about the "Integrated Urban Resort" Projects, and marketing materials used by Applicants, Richard Heyman's *Relevant Group* (Previously Five Chairs Development), and the EB-5 Regional Investment Center they control, *Hollywood International Regional Center* circa 2014/15.]]]

The Dream Hotel is the centerpiece of a $110-million development in Hollywood.

By Roger Vincent

JULY 8, 2017, 3:00 AM

From top to bottom, the futuristic-looking Dream Hotel tries hard to live up to its name.

The centerpiece of a $110-million hospitality complex, it features a front lobby and bar that will open entirely onto the street — providing a new way to enjoy an indoor-outdoor experience in Southern California.

On the rooftop, it has a pool for daytime lounging that in the evening can be converted into a dance floor at the flick of a switch.

"It's an integrated urban resort," said Dream developer Richard Heyman, who helped build the House of Blues nightclub that invigorated the Sunset Strip in the 1990s.

And there are four restaurants where patrons can choose to dine, including the first West Coast outpost of Asian-themed Tao, one of highest-grossing restaurant groups in the country.

Now, after a decade-long odyssey to market, the slim nine-story tower is expected to open next week.

But it's hoped that the boutique lodging with 178 rooms will be more than just the latest entrant in a hot Hollywood market, where two other high-end hotels are expected to open this year.

The idea is that it will be a cornerstone of a new zone of hotels, restaurants, bars and shops similar to Manhattan's trendy Meatpacking District, where an old urban industrial district has become an upscale neighborhood flush with restaurants, shops and hotels.

- A .pdf copy of the full news article is also included.

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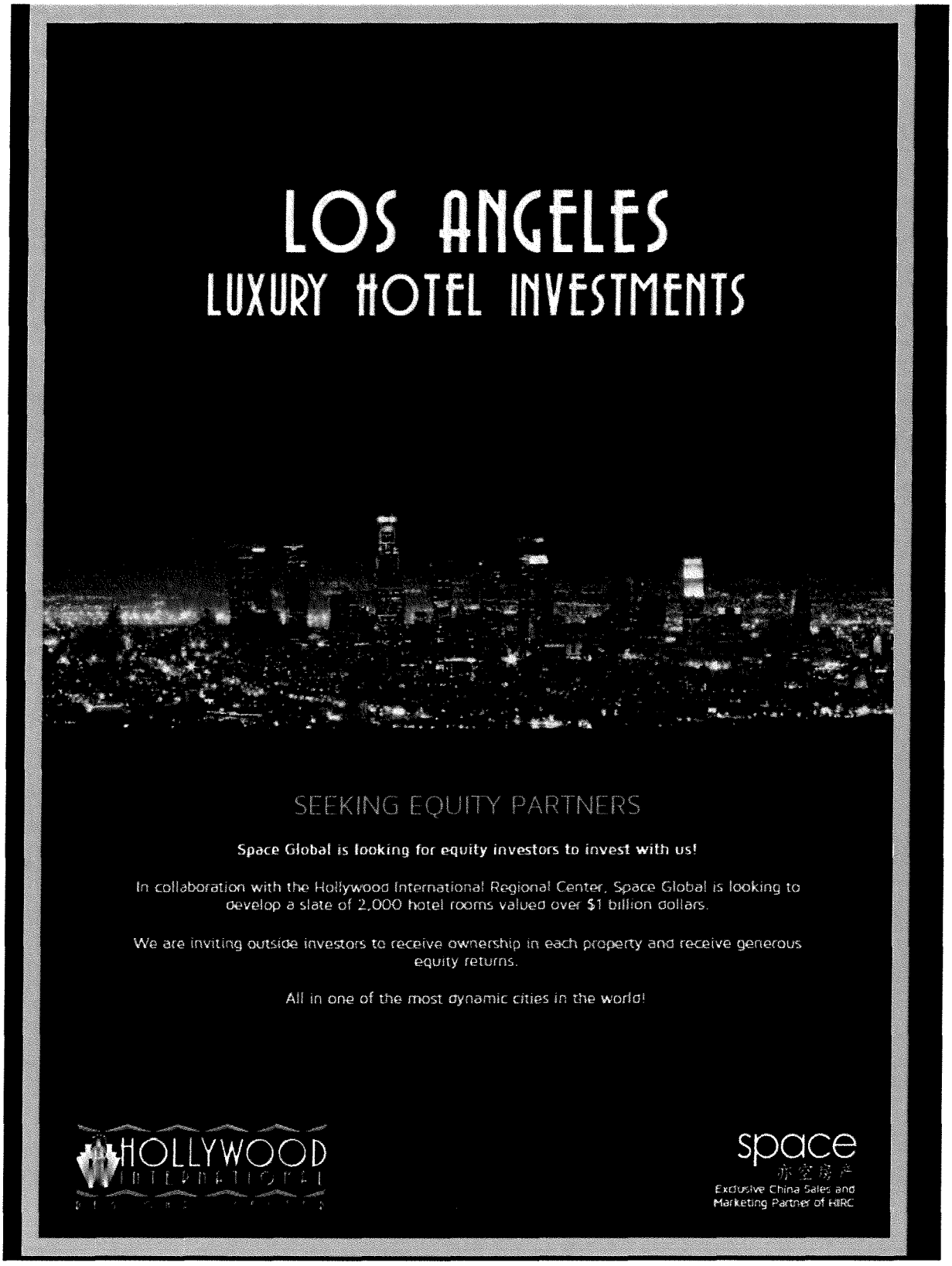

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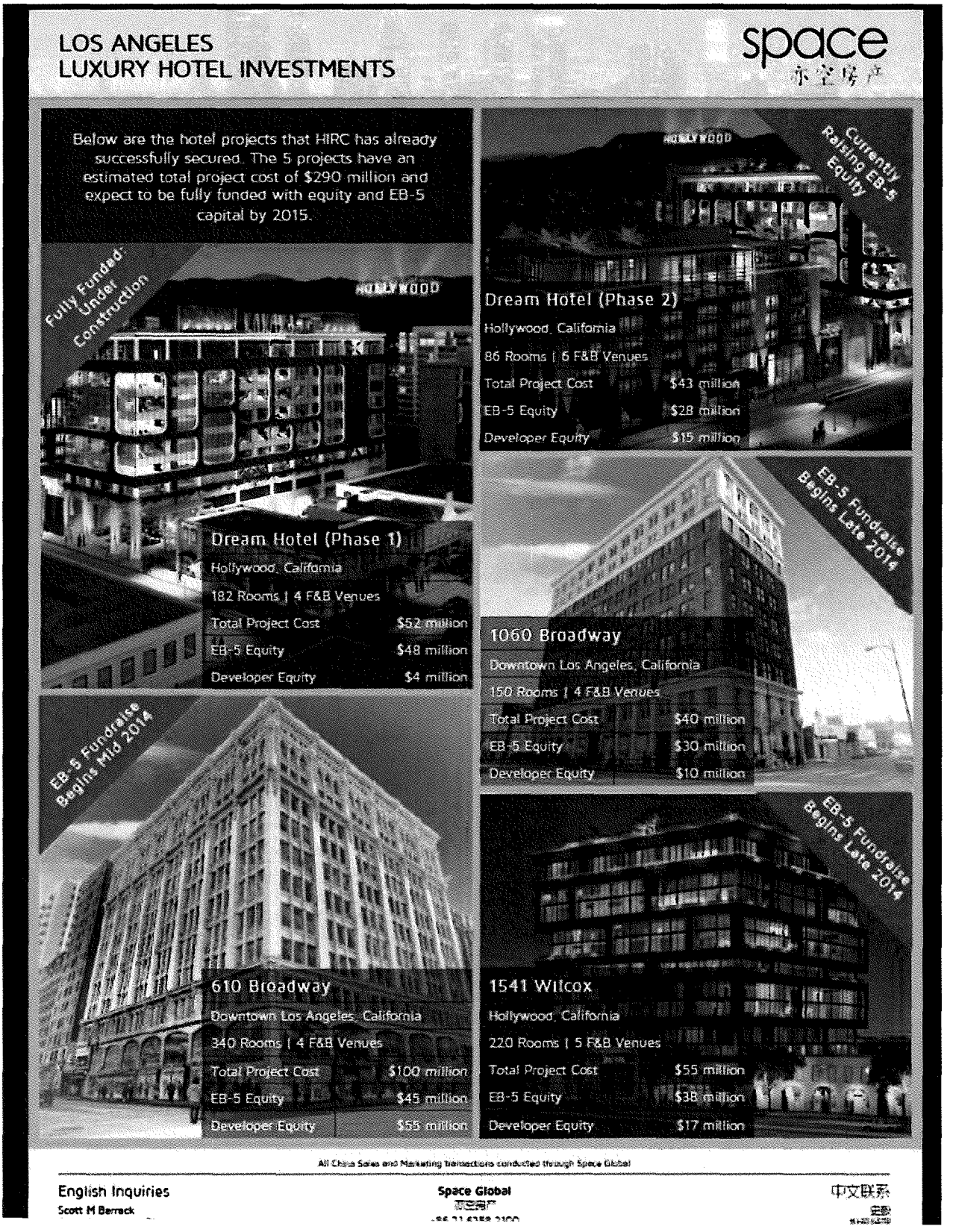

With retractable pool and Tao restaurant, flashy Dream Hotel anchors new Hollywood revival

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By Roger Vincent

JULY 8, 2017, 3:00 AM

From top to bottom, the futuristic-looking Dream Hotel tries hard to live up to its name.

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The idea is that it will be a cornerstone of a new zone of hotels, restaurants, bars and shops similar to Manhattan's trendy Meatpacking District, where an old urban industrial district has become an upscale neighborhood flush with restaurants, shops and hotels.

Already, the once-neglected neighborhood southwest of the intersection of Hollywood Boulevard and Vine Street has seen stylish boutiques and gluten-free restaurants edge out tattoo parlors and dive bars in recent years.

Now, with billions of dollars' worth of new development complete or underway on nearby Vine, the blocks around the Dream Hotel at Cahuenga Boulevard and Selma Avenue are seeing a wave of investment targeting locals out for good time and out-of-towners trying to avoid Hollywood's most touristy haunts.

Still, the Dream complex is long on flash.

The hotel — with a cutout facade that changes color at night — was conceived by Killefer Flammang Architects, which was the project architect. The hotel interiors were designed by Rockwell Group in a Modernist style with a nod to master mid-century architect Richard Neutra.

Other buildings in the nearly block-sized complex are made of reclaimed bricks, and house eateries and bars. Among them is the fancy Avenue nightclub furnished with wood, marble, leather and a $50,000 cuckoo clock. A working pawn shop off the alley serves as the not-so-secret entrance to Beauty & Essex, a Hollywood version of a Lower East Side restaurant of the same name run by celebrity chef Chris Santos.

There is also Luchini, a pizza parlor brew pub connecting the alley to Cahuenga Boulevard, and a few pop-up shops are planned.

The Dream complex is influenced by live theater, with each restaurant displaying its own sense of theatricality, said architect Shawn Sullivan of Rockwell Group, a New York interior design firm known for creating stage sets and high-end restaurants and hotels.

Tao, for example, is intended to feels like it is set on the steps of an ancient temple, an impression enhanced by a vast scale unapparent from the street.

Visitors enter through a corridor lined with stone columns before emerging into a wide bar where a 20-foot statue of a multiarmed goddess known as Quan-Yin looms tall in the distance under a high wooden bow-truss

ceiling. Tables for diners are on the broad, wide steps leading to the goddess as well as on the floor in front of the statue and balconies looking down on it.

"The stairway itself is part of the stage," Sullivan said. "Celebrities who might normally prefer a quiet VIP room may prefer the steps."

Tao in Las Vegas was the highest-grossing restaurant in the United States last year with nearly $48 million in sales, according to Restaurant Business magazine. The two Tao restaurants in New York were also among the country's top-grossing eateries. The Hollywood Tao is fourth in the chain, and paparazzi are already staking it out.

The rooftop pool was a project in itself. It features a floor that is raised by a $300,000 hydraulic lift made by a Canadian firm that has created complex water features for Cirque du Soliel. The goal is to keep the roof, which has a 500-person capacity, active from breakfast through late-night cocktails.

Visitors can reach the roof without passing through the lobby by entering from an alley that has been taken over by the Dream complex. The alley, once a haven for drug dealers, is now covered in slate flagstones and set off by ivy-covered pergolas.

Hospitality industry analyst Bruce Baltin of PKF Consulting said the Dream, like the splashy nearby W Hotel and renovated historic Hollywood Roosevelt Hotel, is a "lifestyle" hotel, pitched to people more interested in having a special experience than the reliable predictability of a chain.

"Hollywood is a hot market right now," he said. "Hotels in Hollywood are doing very well."

The area used to be considered a low-priced alternative for lodging in Los Angeles, but demand for rooms has been growing as the entertainment industry rediscovers the neighborhood alongside tech business newcomers, he said.

That has enabled operators to charge more, with the Dream's nightly rates expected to start at about $300.

Two other hotels will open in Hollywood this year: The 216-room Kimpton Everly Hotel at 1800 Argyle Ave. and the 112-room Hampton Inn & Suites at 1133 Vine St.

Baltin predicts the additional rooms will drive the area's overall hotel room occupancy rate down slightly to a still-healthy 78% by the end of this year, while average room rates compared with last year will tick up $11 to $267 a night.

The development is part of an overall hotel construction surge in the state, according to consulting firm Atlas Hospitality Group.

There were 130 hotels with a combined 18,271 rooms under construction at the end of June, a 17% increase over the same period last year, Atlas said. Los Angeles County leads the way with 4,585 rooms.

But for all the demand, getting the Dream Hotel to market wasn't easy. The developers secured city approvals in 2008, but then the financial crisis hit.

Grant King, who co-founded Relevant Group with Heyman, said he spent years in Shanghai, raising money through the federal EB-5 program, which provides green cards to immigrant investors who put up a minimum investment of $500,000 for development in targeted areas.

King raised about $300 million, which he and Heyman will also use to fund development of four more hotels in the neighborhood and several additional restaurants. Work on some of them is already underway.

"We're trying to create our own Meat Packing District," King said. "Hollywood and Highland is Times Square. This will be Meat Packing."

Competing developer Shaul Kuba, whose company CIM Group owns the Hollywood and Highland entertainment center, said the Dream project elevates Hollywood in general.

"The entire corridor going east from Highland is slowly getting better," Kuba said. "A project of this magnitude and vision is positive in all directions."

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ALSO

Brand-new Sunset Strip apartments to become deluxe extended-stay hotel

Wilshire Grand Center, tallest skyscraper in the West, debuts in downtown Los Angeles

Urban-style upgrade planned for Warner Center complex as Woodland Hills gets citified

For The Record

JUL. 8, 2017, 3:10 PM

A previous version of this article stated that the hotel was conceived in a Modernist style reminiscent of architect Richard Neutra by Killefer Flammang Architects. It was the hotel interiors that were designed in that style by Rockwell Group.

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Alejandro Huerta <alejandro.huerta@lacity.org>

SCH # 2015101073 Crossroad Hollywood

1 message

Lin, Alan S@DOT <alan.lin@dot.ca.gov> Thu, Jun 15, 2017 at 7:56 AM
To: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Cc: "alejandro.huerta@lacity.org" <alejandro.huerta@lacity.org>, "Watson, DiAnna@DOT" <dianna.watson@dot.ca.gov>, "Kibe, Joseph@DOT" <joseph.kibe@dot.ca.gov>, "Saghafi, Abdolhossein@DOT" <abdi.saghafi@dot.ca.gov>, Patrick Gibson <PGibson@gibsontrans.com>, Sarah Drobis <SDrobis@gibsontrans.com>, Emily Wong <ewong@gibsontrans.com>

Hard copy to the Lead Agency.

Alan Lin, P.E.

Project Coordinator

State of California

Department of Transportation

District 7, Office of Transportation Planning

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LA-2017-00912-DEIR Crossroad Hollywood.pdf
873K

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June 15, 2017

Mr. Alejandro Huerta
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 750
Los Angeles, CA 90012

RE: Crossroad Hollywood
SCH # 2015101073
Ref. IGR/CEQA No. 151044AL-NOP
GTS # LA-2017-00912-DEIR-AL
Vic. LA-101/PM 6.24 to 7.683

Dear Mr. Huerta:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project is to redevelop a mixed-use development that integrates Crossroads of the World, a designated City Cultural-Historic Monument.

The Project would retain, preserve, and rehabilitate Crossroads of the World and remove all other existing uses on the Project Site, including surface parking lots and approximately 172,573 square feet of existing floor area consisting of 84 residential units and commercial/retail and office uses. The Project would include eight new mixed-use buildings with residential, hotel, commercial/retail, office, entertainment, and restaurant uses, and one new stand-alone retail building. Upon buildout, the Project would include approximately 1,432,500 square feet of floor area consisting of 950 residential units, 308 hotel rooms, approximately 95,000 square feet of office uses, and approximately 185,000 square feet of commercial/retail uses.

Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. However, the City may use the Level of Service (LOS) methodology until The Governor's Office of Planning and Research (OPR) complete its CEQA Guideline to implement SB743 (https://www.opr.ca.gov/s_sb743.php).

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We have the following comments after review the environmental document:

1. CMP methodology is not adequate when analyzing freeway impacts. Consultation with Caltrans is necessary for the Lead Agency and traffic consultant to determine significance criteria of the State facilities for all future projects.

2. The project will generate 15,005 daily trips and 1,283/3879 AM/PM peak hour trips. There are 145 related projects in the project vicinity. Therefore, cumulative impacts on the mainline would occur. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate cumulative traffic impacts in the future.

3. On June 6, 2017, traffic consultant presented a proposal regarding traffic impact locations and potential mitigation measures for Caltrans' consideration. The developer is willing to make a fair share contribution toward future improvements on the State facility, within the Hollywood community area. The developer agrees to sign a Traffic Mitigation Agreement with Caltrans prior to circulation of the FEIR.

4. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan.

5. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

Caltrans will continue to work with the Lead Agency and/or traffic consultant closely in an effort to evaluate traffic impacts, identify potential improvements, and complete a Traffic Mitigation Agreement before the FEIR release. If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2017-00912AL-DEIR.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

CAJA Environmental Services, LLC

15350 Sherman Way, Suite 315
Van Nuys, CA 91406
Phone 310-469-6700

March 27, 2018

Los Angeles Department of City Planning
200 N. Spring Street, Los Angeles, CA 90012

Re: Responses to Comments on the Selma Wilcox Project (Project)

The City of Los Angeles (City) prepared a Mitigated Negative Declaration (the MND) for ENV-2016-1602-MND (the Project) pursuant to the California Environmental Quality Act (CEQA), CEQA Guidelines and the City's environmental review procedures.

The City received one written comment on the MND:

- Unite Here Local 11, dated January 24, 2017

The individual comments contained within the written comments are provided below and identified as **Comment X**. Responses to the comments are also provided below and identified as "**Response to Comment X**".

Based on our technical review, the written comments do not raise any new CEQA issues and do not require any change to any conclusion in the MND. The written comments do not provide substantial evidence that further review under CEQA is required or that the Project may have a significant environmental impact. As analyzed in the MND, the whole of the record supports the conclusion that the impacts would be less than significant as proposed.

Seth Wulkan
Project Manager
CAJA Environmental Services, LLC
15350 Sherman Way, Suite 315, Van Nuys, CA 91406
Seth@ceqa-nepa.com
310-469-6704 (direct)
310-469-6700 (office)

CAJA is an environmental consulting firm that specializes in environmental planning, research, and documentation for public and private sector clients. For over 25 years, CAJA and its predecessor company Christopher A. Joseph & Associates have offered a broad range of environmental consulting services with a particular emphasis on CEQA and NEPA documentation.

Seth Wulkan has over 10 years of experience and is responsible for all aspects of preparation of environmental review documents. He began his career with CAJA in 2007. Mr. Wulkan is proficient in drafting all sections of environmental review documents; incorporating technical reports into documents; and personally corresponding with public and private sector clients. Mr. Wulkan

regularly participates in team strategy meetings from the beginning of the environmental review process through the final project hearings. Mr. Wulkan graduated with college honors from UCLA and completed a Certificate Program in Sustainability at UCLA Extension

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Van Nuys, CA 91406
Phone 310-469-6700

Unite Here Comment 1

This letter is written on behalf of the 28,000 members of UNITE HERE! Local 11, the hospitality and restaurant employees' union. Our members live and work across LA and Orange County, including in the City of West Hollywood, and, Phoenix, Arizona. The Mitigated Negative Declaration fails to adequately analyze multiple significant environmental impacts from the proposed project. Various points of analysis in the MND are in error, are incomplete, or are absent from it entirely. The MND is inadequate for the purposes of CEQA and local law, and should not be adopted. **A full Project-Specific Environmental Impact Report must be prepared.**

Response to Unite Here 1

The comment serves as an introduction to the commenter's concerns. The concerns are expanded in the comments below. Each concern is also responded to below.

The comment states that the MND prepared for the Project fails to comply with the requirements of CEQA, but bases the statement on unsubstantiated opinion and speculation. (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, 393 [substantial evidence does not include argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, evidence that is not credible, or evidence of economic or social impacts that do not contribute to or are not caused by physical environmental impacts].) The comment does not raise any new CEQA issues and does not require any change to any conclusion in the MND. There is no substantial evidence in the record or in the comment showing that subsequent environmental review is necessary or that the Project may cause significant adverse impacts (Pub. Res. Code § 21166; CEQA Guidelines § 15162).

CEQA Guidelines section 15064 requires the lead agency to determine if a project will have a significant effect based on substantial evidence. CEQA Guidelines section 15382 defines the term "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." In compliance with the CEQA Guidelines, and in light of the whole record, the lead agency accurately determined the significant effects of the Project.

As demonstrated by the MND, the whole of the record supports the conclusion that the Project, as proposed, would have less than significant impacts.

Unite Here Comment 2

The Applicant Improperly Piecemeals Several DREAM Projects

All DREAM projects should proceed together in order to fulfill the basic Legislative goals for CEQA, and comply with the statute. CEQA is constructed around an inclusive definition of "project" for the purpose of preventing public agencies from segmenting projects in a way that diminishes apparent environmental impacts. CEQA mandates "that environmental considerations do not become submerged by chopping a large project into many little ones -- each with a

minimal potential impact on the environment - which cumulatively may have disastrous consequences." Bozung v. LAFCO (1975) 13 Cal.3d 263, 283-84 (1975); City of Santee v. County of San Diego (1989) 214 Cal.App.3d 1438, 1452.

Before undertaking a project, the lead agency must assess the environmental impacts of all reasonably foreseeable phases of a project and a public agency may not segment a large project into two or more smaller projects in order to mask serious environmental consequences.

The MND identifies several nearby projects specifically, but fails to note that a critical fact; that these are projects proposed, built, and controlled by applicant. In addition to the proposed project, there are three other major hotel projects built, under construction, or recently approved by the city. They are:

- [open]The Dream Phase I (as it is called by Applicant) with 178 rooms, and at least 4581 sq.ft bar/restaurant use.
- [under construction] A hotel at 12-story hotel at 1541 Wilcox currently under construction by applicant, with 200 hotel rooms. 1862 sq.ft bar, 4595 Restaurant and Bar
- [post-approval] The Tommie Hotel project at 6516 Selma Avenue, approximately 100 feet from the Project Site, would have 212 hotel, rooms, a 2,308 square feet cafe, & 11,148 square feet restaurant/bar use.

From those facts it appears, and with approval of this MND would functionally be, a single major project comprising upwards of 630 hotel rooms, six or more bars/restaurant spaces in addition to the approved and existing 20,624 sq. ft restaurant on this project site and project's proposed 5,041 rooftop bar, approximating nearly 50,000 square feet of active bar/nightclub/bar & restaurant space within 0 to 350 feet of the project site. These large hotels and bar projects taken together would cover major portions of that block of the land along Selma and Wilcox, with significant contiguous portions to their property (such as Dream Phase I and Phase II, and the Tao Restaurant properties). And applicants have stated further goals for up to potentially 2000 hotel rooms in the area.

Applicant Richard Heyman has spoken publicly about his company's intention of creating an "integrated urban resort," as quoted in a July, 2017 LA Times interview by Roger Vincent (see below). However, neither Heyman nor his company have ever properly presented this full plan for an "integrated urban resort" to the City Planning Department, Planning Commission, City Council, or the public, thus abrogating the rights of public input and review under CEQA and engaging in improper project piecemealing.

Response to Unite Here 2

For purposes of CEQA coverage, a "project" is defined as comprising "the whole of an action" that has the potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (CEQA Guidelines § 15378(a).) Thus, the term "project" refers to the activity for which approval is sought, not to each separate governmental approval that may be required for the activity to

occur. (CEQA Guidelines § 15378(c).) Under this definition of a project, the lead agency must describe the project to encompass the entirety of the activity that is proposed for approval. This ensures that all potential impacts of the proposed project will be examined before it is approved. (CEQA Guidelines § 15378(a), (d).) The project description should not include existing, ongoing activities not proposed for approval even though they may be related to the activity that is proposed for approval. (*El Dorado County Taxpayers for Quality Growth v. County of El Dorado* (2004) 122 Cal.App.4th 1591; *see also*, *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270.) Related activities that are similar in nature and that serve the same purpose are separate projects (as opposed to a single project) if they are independently considered for approval and one activity is not a foreseeable consequence of the other. (*Sierra Club v. West Side Irrig. Dist.* 2005) 128 Cal.App.4th 690 [city's agreements with two water districts for assignments of rights to Central Valley Project water were separate projects because the assignments were independent of each other and were approved by separate irrigation districts].)

In *Laurel Heights v Regents of Univ. of Cal.* (1988) 47 Cal.3d 376, the court set forth the standards for determining whether reasonably foreseeable future activities must be included in a project description and for determining whether the impacts of those activities must be analyzed in an environmental document. The court established a two-pronged test (*Id.* at 396):

> We hold that an EIR must include an analysis of the environmental effects of future expansion or other action if: (1) it is a reasonably foreseeable consequence of the initial project; and (2) the future expansion or action will be significant in that it will likely change the scope or nature of the initial project or its environmental effects.

This standard is consistent with the principle that environmental considerations do not become submerged by chopping a large project into many little ones – each with a minimal potential impact on the environment – which cumulatively may have disastrous consequences. (*Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283-284.)

For the first prong, the Project is not a reasonably foreseeable consequence of the Dream hotel and/or the Tommie hotel projects because each activity can operate successfully and without the development of the other. Moreover, neither the Project, the Dream hotel nor the Tommie hotel are conditioned upon completion of the other in the way that other piecemealing CEQA cases have articulated. (*Tuolumne County Citizens for Responsible Growth, Inc. v. City of Sonora* (2007) 155 Cal.App.4th 1214 [because there was a strong connection between the road alignment and the completion of the proposed home improvement center, the court concluded that the home improvement center and the road alignment were part of a single CEQA project, even though they could have been completed separately]; *El Dorado County Taxpayers for Quality Growth*, 122 Cal.App.4th at 1600 [future expansion was not a foreseeable consequence of project approval because decision to allow future expansion would depend more on environmental, social, and political factors].)

Put succinctly, all three hotel projects are legally required to be independently considered and not a foreseeable consequence of the other. The hotels have independent utility, are located on separate legal lots and, in the case of the Tommie hotel, located on a separate city block, and are not predicated on each other. Denial of one would not eliminate the effectiveness of the other two. The prior approval of the Tommie hotel and Dream hotel projects and its current independent commercial use demonstrates

severable utility of each hotel project. Moreover, this evidence demonstrates this is not a piecemeal approach, but a conscientious approach to develop separate parcels with similar uses.

For the second prong concerning a change of the initial project, the Project would not change neither the Tommie nor the Dream hotels, and vice versa. As stated above, the City has previously considered and approved the development of the Tommie hotel and Dream hotel projects; the Project's use was neither included nor intended to be a part of the original development of those separately-operated hotels. Furthermore, the Project will not expand the density and/or intensity that is included in the current Tommie hotel and Dream hotel configurations.

Unite Here Comment 3

Traffic Impacts & Cumulative Analysis

MND improperly dismisses future-with-project impacts, and cumulative traffic impacts. The traffic assessment indicates at least 4 significant traffic impacts, at the Hollywood and Wilcox intersection, and the 4A Selma and Wilcox intersection, and for 4B Selma and Wilcox intersection. The stated mitigations are speculative, or based in voluntary action of others neither the city nor the applicant can control or guarantee. Their ephemeral nature of proposed "mitigations" in the Transportation Demand Management and Monitoring Program (TDMMP) for the identified traffic impacts are not brought below a threshold of significance within the scope of the project.

Mitigations of significant impacts cannot be differed in this way. Even if implemented there is no guarantee the TDMMP will function to the levels desired or expected; thus, the project would create significant impacts that would then be incredibly difficult to correct or mitigate effectively. The trip reduction credits applied to analysis within the MND (70% to the 1,809 sq.ft restaurant, 60% to the rooftop bar) represent a 24% total reduction in estimated car trips and are not properly justified, masking other potentially significant impacts from traffic generated by the operation of the hotel.

Response to Unite Here 3

The proposed mitigation for significant impacts at Selma Avenue and Wilcox Avenue is, as stated, implementation of a Transportation Demand Management Plan (TDM Plan) included as MM-Traffic-2 in the MND. The goals of a TDM Plan is to reduce the number of vehicles in and out of the area. The City of Los Angeles Department of Transportation (LADOT) provides a list of potential trip generation measures in their Traffic Impact Study Guidelines, December 2016 (Traffic Guidelines). These Traffic Guidelines, under the Transportation Mitigation Measures Heading, state: *"In addition to traditional traffic flow considerations, mitigation programs must primarily aim to minimize the demand for trips by single-occupancy vehicles through transportation demand management (TDM) strategies."* (Traffic Guidelines, pg. 18.) The proposed TDM Plan to mitigate Project impacts is in keeping with this goal (Project Plan).

The mitigation monitoring of the TDM Plan includes annual review of the effectiveness of the Project Plan. Requirements are to conduct counts to assure that the TDM goals, which reduce the significant impact below significance, are met. Traditionally, if they are not met, an opportunity to modify the Project

Plan with another monitoring within six (6) months is required. If the TDM goals are still not met, penalties will be implemented.

Mitigation is not deferred with the TDM Plan. (*Citizens for a Sustainable Treasure Island v. City & County of San Francisco* (2014) 227 Cal.App.4th 1036, 1059; *Friends of Oroville v. City of Oroville* (2013) 219 CA4th 832, 838 [a mitigation performance standard is sufficient if it identifies the criteria the agency will apply in determine that the impact will be mitigated].) An obligation to reduce vehicle trips is required with annual monitoring. If the monitoring report indicates that goals are not met, penalties are implemented. This will repeat annually as the Project demonstrates compliance or refines the mitigation plan and they can meet the TDM goals.

As stated in the Project traffic study, the ITE trip generation rates are estimated without regard for the nature of the Project's vicinity in terms of transit, walking, or interaction with the traffic on the surrounding roadways. Project trip reduction credits were noted in the summary trip generation table. Internal trips reductions are for persons who are already on the site and go to another venue on site. This practice does not create a new vehicle trip. A 50% internal trip credit was approved by LADOT and applied to the restaurants because it is highly likely that half or more of the patrons will be guests of the hotel. Some of the patrons of the restaurants will not be driving directly to the site to eat as their main destination point. Instead, they may be passing by the site on their way to or from a main destination point. An estimated and approved by LADOT reduction for a 20% pass-by rate for the ground floor restaurant and 10% pass-by rate for the rooftop restaurant/bar. Note that the pass-by credits are not applied at the nearest intersection to the site where turning movements may be needed to access the site.

Unite Here Comment 4

> Additionally, the MND Future Without Project using Current Baseline identifies that six of the ten studied intersections would be at Level of Service E or F during AM and PM peaks by 2020. This MND fails to address the cumulative impacts on traffic from this project plus the dozens of other proposed projects. While a project-specific Environmental Impact Report may be unable to answer every problem arising from the vast array of new development occurring in Hollywood, it is imperative upon DCP and the City to undertake a full and comprehensive cumulative traffic impact study immediately, and with this project.
>
> The State Department of Transportation has repeatedly encouraged the city to do this in letters filed on several other nearby projects (such as Crossroads Hollywood, see attached). By failing to properly study potentially significant cumulative impacts of this and related projects (including adjacent projects *by the same applicant)*, this MND serves to mask those potential impacts for the whole of the Hollywood plan area and vital commercial corridors on Sunset and Hollywood Boulevards.

Response to Unite Here 4

The City addresses cumulative impacts in the future analysis scenario. An extensive effort to identify other projects in the study area is prepared with information from LADOT and Department of City Planning. These related projects traffic volumes are added to the study intersections determined in the Future Without Project evaluation. Any improvements to the street system that may be implemented by

the related projects are not included in the future analysis. In addition, a 1% per year ambient growth rate is added to the existing traffic conditions to account for any growth in the area and/or potential additional related projects not identified in the search for reasonably foreseeable related projects. This 1% ambient growth rate that is included in the analysis is conservative because the County of Los Angeles has estimated a smaller growth rate than 1%. Based on the Los Angeles County Congestion Management Program (CMP) estimated traffic growth rates for the West/Central Los Angeles area is 0.17% per year between 2015 and 2025. A copy of the CMP growth factor from Appendix D, Guidelines for CMP Transportation Impact Analysis, 2010 Congestion Management Program for Los Angeles County is attached as Exhibit A. This worst-case consideration of future conditions inflates the volume to capacity and level of service at the study intersections. LADOT provides a sliding scale for significant traffic impacts. The higher the level of service (LOS), the fewer Project trips that can be added before a significant impact is identified. In this way, the cumulative traffic by the related projects is addressed by the Project.

The State Department of Transportation letter, attached hereto as Exhibit B includes the number of vehicle trips created by the Crossroads project. There is then a statement that cumulative impacts on the mainline would occur and a reminder to the decision-makers that they should be aware of the cumulative impacts on the mainline and be prepared to mitigate cumulative impacts in the future. As stated in the previous paragraph, the City addresses cumulative impacts with increase in the background growth for future conditions with related project and ambient growth. This increase in the background growth allows for less growth by a proposed project before a significant impact occurs. If a significant impact occurs in future conditions with the Project, the impact would then be required to mitigate to a level below significance or disclose a significant unavoidable impact.

Unite Here Comment 5

GHG/Climate Analysis Is Flawed and Outdated

MND does not adequately assess potentially significant impacts on air quality and greenhouse gas emissions from mobile sources, fixed sources, and construction activities. As the project as proposed is not in compliance with current zoning as implemented by both the Hollywood Community Plan and site-specific D limitation imposed via ordinance, the conclusion that there is no inconsistency with SCAQMD Air Quality Management Plan, or the rules in use as drafted by the SCAQMD is also in error and may reach potentially significant impacts if the project is built without mitigation measures.

The Project's GHG emissions are likely significant, and the refusal to include any climate change mitigation measures is dubious. Also, although the MND identifies GHG reduction strategies set forth in the Climate Change Scoping Plan, 2016-2040 SCAG RTP/SCS Actions and Strategies, the Green LA Plan (DEIR, 4.4-53), and the LA Sustainable City pLAn, the MND fails to include the vast majority of the measures in the documents as design features or as mitigation measures. Moreover, the Green LA Plan and LA Sustainable City pLAn were not designed to comply with recent GHG laws like SB32, and were never formally reviewed or evaluated in any CEQA document.

Response to Unite Here 5

The comment challenges the air quality and GHG impacts conclusions for the Project in the MND based on unsubstantiated opinion. Under Public Resources Code section 21082.2(c), "[a]rgument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts."

The Project would be consistent with the growth projections in the South Coast Air Quality Management Plan. The site's zoning and Community Plan land use designations allow for the hotel and restaurant uses. As such, their contribution to cumulative air quality impacts in the region have been accounted for in the air quality planning for the South Coast Air Basin.

Currently, there are no applicable California Air Resources Board, South Coast Air Quality Management District (SCAQMD), or City s significance thresholds or specific reduction targets, and no approved policy or guidance to assist in determining significance at the project or cumulative levels. Additionally, there is currently no generally accepted methodology to determine whether GHG emissions associated with a specific project represent new emissions or existing, displaced emissions. Therefore, consistent with CEQA Guidelines section 15064(h)(3), the City, as lead agency, has determined that the Project's contribution to cumulative GHG emissions and global climate change would be less than significant if the Project is consistent with the applicable regulatory plans and policies to reduce GHG emissions, not limited to building efficiency measures. The Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. In the absence of adopted standards and established significance thresholds, and given this consistency, the MND concludes based on substantial evidence that the Project's impacts are not cumulatively considerable.

As an initial matter, there is no requirement that the Project be "GHG neutral." The MND contains the analysis of the Project's GHG impacts required under CEQA. It is a generally accepted fact that shifting a GHG-emitting activity from one location to another creates no net change in cumulative GHG emissions. A fundamental difficulty in the analysis of GHG emissions is the global nature of the existing and cumulative future conditions. Changes in GHG emissions can be difficult to attribute to a particular planning program or project because the planning effort or project may cause a shift in the locale for some type of GHG emissions, rather than causing "new" GHG emissions. As a result, there is a lack of clarity as to whether an individual project's GHG emissions represent a net global increase, reduction, or no change in GHGs that would exist if the project were not implemented. The analysis of the Project's GHG emissions is particularly conservative in that it assumes that all of its GHG emissions are new additions to the atmosphere when they are likely not.

Unite Here Comment 6

> Also, the GHG analysis and conclusions in MND is outdated and needs to be recirculated in light of *Newhall Ranch* and the new SB32 targets. In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. The MND must also consider the 2050 long-term reduction goal set forth by Executive Order S-3-05, which

requires California to reduce its statewide emissions to 80 percent below 1990 levels by 2050. By failing to demonstrate compliance with these additional reduction goals, the Project's GHG impact analysis is incomplete and inadequate, and the Project's GHG emissions are insufficiently addressed and mitigated.[1]

Response to Unite Here 6

The climate change analysis is consistent with the California Supreme Court's ruling in *Ctr. For Biological Diversity v. Cal. Dept. of Fish and Wildlife* (2015) 62 Cal.4th 204 (*Newhall Ranch*) case and does not base its significance finding on comparison to a business-as-usual approach. Rather, it discloses emissions associated with construction and operation of the project for informational purposes and bases its significance findings on CEQA Guidelines and a focus on the Project's consistency with State, regional, and local climate action plans. The GHG analysis analyzes how the Project would be consistent with the goal of reducing 1990 emissions by 40% by 2030 and beyond, as mandated by Executive Order B-30-15. Specifically, the analysis finds that the Project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15.

Unite Here Comment 7

Project-specific information disclosed in the IS/MND appears to be omitted from the air model used in Appendix C. As a result, the project's construction and operational emissions are underestimated. A Project-specific EIR should be prepared to include an updated GHG analysis that adequately evaluates the impacts that the construction and operation of the Project will have on global climate change and the State's 2035 emissions targets. This apparent discrepancy in land uses between the IS/MND and the air model provided in Appendix C presents a significant issue.

Response to Unite Here 7

The Project as analyzed in the air quality model is consistent with the traffic study and uses the SCAQMD's approved and accepted CalEEMod model for analyzing project impacts for both construction and operations. The GHG analysis does analyze how the Project would be consistent with the 2020 and later goals from both Executive Orders and climate change legislation. For example, the analysis looks at

---

[1] We also question the MND's reliance on statewide mobile source reduction programs and, most seriously, treating measures having nothing to do with the Project as mitigation for the Project impacts. *See California Air Pollution Control Officers Association, Quantifying Greenhouse Gas Mitigation Measures* pp. 32 and A3 at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf ("in order for a project or measure that reduces emissions to count as mitigation of impacts, the reductions have to be 'additional.' Greenhouse gas emission reductions that are otherwise required by law or regulation would appropriately be considered part of the existing baseline. Thus, any resulting emission reduction cannot be construed as appropriate (or additional) for purposes of mitigation under CEQA.") This concept is known as additionality – greenhouse gas emission reductions that are otherwise required by law or regulation are appropriately considered part of the baseline and, pursuant to CEQA Guideline § 15064.4(b)(1), a new project's emission should be compared against that existing baseline. *See* http://resources.ca.gov/ceqa/docs/Final_Statement_of_Reasons.pdf. Emissions reductions that would occur without the Project should not normally qualify as Project mitigation. Thus, this Project needs to do its own fair share, with enforceable, detailed Project-specific mitigations – aside from existing statewide and local measures -- governed by performance standards to guarantee efficacy.

the goals of reducing 1990 emissions by 40% by 2030 and beyond, as mandated by Executive Order B-30-15. The analysis finds that the Project's post-2020 emissions trajectory is expected to follow a declining trend, consistent with the 2030 and 2050 targets and Executive Orders S-3-05 and B-30-15.

Unite Here Comment 8

The MND Ignores The Need For Housing At The Site

The Project is zoned for apartment or residential. MND p. 3-117. Yet no housing is provided. According to the UCLA Ziman Center, Los Angeles housing prices have grown about four times faster than incomes since 2000 and "affordable housing production and preservation needs to accelerate." http://www.anderson.ucla.edu/Documents/areas/ctr/ziman/2014-08WPrev.pdf

Los Angeles is the least affordable rental market in the country, according to Harvard University's Joint Center for Housing Studies, and its been ranked the second-least affordable region for middle-class people seeking to buy a home. http://www.latimes.com/opinion/editorials/la-ed-affordable-housing- part-1-20150111-story.html

The City of Los Angeles' Housing Needs Assessment indicates that through September 30, 2021, 20,426 additional housing units are needed in the City for very low-income, 12,435 for low-income, and 13,728 are for moderate income. http://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch1.pdf

The City's General Plan reflects this urgent need for affordable housing. *See City of Los Angeles General Plan Housing Element* Goal 1 "A City where housing production and preservation result in an adequate supply of ownership and rental housing that is safe, healthy and affordable to people of all income levels, races, ages, and suitable for their various needs"; Policy 1.1.1 "Expand affordable home ownership opportunities and support current homeowners in retaining their homeowner status"; Policy 1.1.2 Expand affordable rental housing; Objective 2.5 "Promote a more equitable distribution of affordable housing opportunities throughout the City"; Policy 2.5.1 "Target housing resources, policies and incentives to include affordable housing in residential development, particularly in mixed use development, Transit Oriented Districts and designated Centers"; and Policy 2.5.2 "Foster the development of new affordable housing units citywide and within each Community Plan area". http://planning.lacity.org/HousingInitiatives/HousingElement/Text/Ch6.pdf.

The same affordability concerns must be addressed under the governing Hollywood Community Plan and Redevelopment Plan. *See City of Los Angeles Hollywood Community Plan* Objective 3 "To make provision for the housing required to satisfy the varying needs and desires of all economic segments of the Community . . . [a]dditional low and moderate-income housing is needed in all parts of this Community"; *Hollywood Redevelopment Plan* Goal 300.9 "Provide housing choices and increase the supply and improve the quality of housing for all income and age groups, especially for persons with low and moderate incomes; and to provide home ownership opportunities and other housing choices which meet the needs of the resident population"; Goal 410.4 "At least fifteen percent (15%) of all new or rehabilitated units developed within the Project Area by public or private entities or persons other than the Agency shall be for

persons and families of low or moderate income; and of such fifteen percent, not less than forty percent (40%) thereof shall be for very low income households"; and Goal 412 "The social needs of the community include but are not limited to the need for day care facilities, housing for very low and low income persons including the elderly, the homeless, and runaways, educational and job training facilities, counseling programs and facilities." http://planning.lacity.org/complan/pdf/HwdCpTxt.pdf; http://www.crala.org/internetsite/Projects/Hollywood/upload/HollywoodRedevelopmentPlan.pdf.

With no housing component, this Project likely is General, Community and Redevelopment Plan inconsistent, not in the "general welfare," and the City may be paying mere lip service to the mandates of its governing Plans. This matters to the 28,000 members of Local 11, who wants to ensure that our members and all fellow Angelenos can afford to live in Los Angeles. This Project does nothing to address these affordable housing goals and policies, and the MND is silent on the affordable housing issue and inconsistency related thereto. *The MND should be recirculated to meaningfully address the affordable housing issue, including a housing nexus study*.

Response to Unite Here 8

This comment is a recitation of an unverified study and does not raise any specific environmental issues concerning the Project's compliance with federal, state, and/or local regulation, and, therefore, does not require a response. (*Citizens for E. Shore Parks v. State Lands Comm'n* (2011) 202 Cal.App.4th 549 [comments that do not raise a significant environmental question need not be responded to].) The Project complies with federal, state and local regulations.

Additionally, this comment does not allege any inconsistency with mandatory objectives or policies related to either the General Plan, the Community Plan or the Redevelopment Plan. Moreover, an applicant is not required to incorporate or analyze any or all of the commenter's land use suggestions, such as the inclusion of an affordable housing component into this Project. (*In re Bay-Delta Programmatic Envt'l Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1157, 1164 [the court ruled that the lead agency did not have to assess a use proposed by the petitioners when it would be inconsistent with the fundamental purpose of the project].) The Project at hand is intended to attract more tourists in effort to further the goal of enhancing the Community Plan area. The inclusion of affordable housing would be wholly inconsistent with this primary purpose of the Project, and, therefore, need not be analyzed or implemented.

Unite Here Comment 9

Land Use Findings Cannot Be Made

The CEQA, land use, and other concerns addressed in this letter must be adequately addressed to make the required City Code findings. The entitlements are discretionary, not by right. If the numerous errors and deficiencies discussed herein are not cured, City decisionmakers should reject Relevant Group's requested discretionary entitlements because the findings cannot be made. Among the specific findings required include:

- The Project conforms with the public necessity, convenience, general welfare and good

zoning practice (*see e.g.,* GPA under LAMC § 12.32.C; VTT under 17.15.C.2; ZC under § 12.32.C.3; CUPs under § 12.24.E.2);

- will enhance the built environment in the surrounding neighborhood or perform a function/service that is essential or beneficial to the community, city, or region (*see e.g.,* CUPs under 12.24.E.1);

- compatible with and will not adversely affect or further degrade adjacent properties (*see e.g.*, CUPs under 12.24.E.2; SPR under § 16.05.F.2);

- substantially conforms to the purpose, intent, and provisions of the General Plan and applicable community or specific plans (*see e.g.,* CUP under LAMC § 12.24.E.3; SPR under § 16.05.F.1).

Response to Unite Here 9

This comment correctly identifies the controlling state and local regulations for the Project-related discretionary approvals sought. As identified in Los Angeles Municipal Code (LAMC), the approval of the Project's entitlements and MND are discretionary determinations that require the decision-maker to make certain findings in compliance with LAMC, CEQA and other land use and planning laws. These required findings include a determination that Project is "consistent and in harmony with the General Plan, preventing adverse effects, and [will not] adversely affect the pertinent community or public health" and is in compliance with the design standards outlined in LAMC section 17.05. Additionally, under the CEQA, the City must find that the Project would not have a significant effect on the environment based on the Project's MND.

As evidenced by the record, the required findings were made and are supported by substantial evidence in the document and in the record.

Unite Here Comment 10

Conclusion

The MND for this project leaves many potentially significant impacts unaddressed on traffic impacts from the project (cumulative and project specific); Air Quality, Greenhouse Gas Emissions, and cumulative project impacts, and the dangers of project piecemealing for what is in actuality a single 2-300 Million Dollar development. The project requires a full Environmental Impact Report be done to properly and completely assess and analyze the myriad significant and cumulative impacts it would have on the environment and residents. The MND is woefully incomplete and should not be adopted. *A full Project-Specific EIR must be prepared.*

Response to Unite Here 10

The comment constitutes a conclusion to the comment letter. The comment letter does not provide substantial evidence that supports a finding that further CEQA review of the Project beyond the MND is required or the Project may have a significant environmental impact. As analyzed in the MND, the impacts of the Project are less than significant.

15350 Sherman Way, Suite 315
Van Nuys, CA 91406
Phone 310-469-6700

Exhibit A

Exhibit D-1

GENERAL TRAFFIC VOLUME GROWTH FACTORS

RSA	Representative City/Place	2010	2015	2020	2025	2030	2035
7	Agoura Hills	1.000	1.020	1.041	1.052	1.063	1.075
8	Santa Clarita	1.000	1.145	1.291	1.348	1.405	1.461
9	Lancaster	1.000	1.214	1.427	1.676	1.924	2.172
10	Palmdale	1.000	1.134	1.267	1.363	1.458	1.553
11	Angeles Forest	1.000	1.151	1.301	1.394	1.487	1.580
12	West S.F. Valley	1.000	1.027	1.054	1.068	1.083	1.097
13	Burbank	1.000	1.024	1.049	1.063	1.077	1.092
14	Sylmar	1.000	1.024	1.049	1.071	1.093	1.114
15	Malibu	1.000	1.027	1.054	1.075	1.096	1.117
16	Santa Monica	1.000	1.014	1.028	1.038	1.049	1.059
17	West/Central L.A.	1.000	1.007	1.014	1.024	1.034	1.044
18	South Bay/LAX	1.000	1.013	1.026	1.035	1.044	1.053
19	Palos Verdes	1.000	1.025	1.051	1.061	1.071	1.081
20	Long Beach	1.000	1.076	1.152	1.160	1.168	1.177
21	Vernon	1.000	1.073	1.146	1.158	1.170	1.182
22	Downey	1.000	1.052	1.104	1.116	1.127	1.139
23	Downtown L.A.	1.000	1.009	1.018	1.030	1.042	1.054
24	Glendale	1.000	1.014	1.027	1.041	1.055	1.068
25	Pasadena	1.000	1.041	1.082	1.098	1.115	1.131
26	West Covina	1.000	1.023	1.046	1.066	1.086	1.106
27	Pomona	1.000	1.081	1.161	1.190	1.219	1.248

(1.024 - 1.007)/10 years X 100 = .017%

Exhibit B

Alejandro Huerta <alejandro.huerta@lacity.org>

SCH # 2015101073 Crossroad Hollywood

1 message

Lin, Alan S@DOT <alan.lin@dot.ca.gov> Thu, Jun 15, 2017 at 7:56 AM
To: OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>
Cc: "alejandro.huerta@lacity.org" <alejandro.huerta@lacity.org>, "Watson, DiAnna@DOT" <dianna.watson@dot.ca.gov>, "Kibe, Joseph@DOT" <joseph.kibe@dot.ca.gov>, "Saghafi, Abdolhossein@DOT" <abdi.saghafi@dot.ca.gov>, Patrick Gibson <PGibson@gibsontrans.com>, Sarah Drobis <SDrobis@gibsontrans.com>, Emily Wong <ewong@gibsontrans.com>

Hard copy to the Lead Agency.

Alan Lin, P.E.

Project Coordinator

State of California

Department of Transportation

District 7, Office of Transportation Planning

Mail Station 16

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LA-2017-00912-DEIR Crossroad Hollywood.pdf
873K

DEPARTMENT OF TRANSPORTATION
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PHONE (213) 897-8391
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TTY 711
www.dot.ca.gov

Serious Drought.
Making Conservation
a California Way of Life.

June 15, 2017

Mr. Alejandro Huerta
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 750
Los Angeles, CA 90012

RE: Crossroad Hollywood
SCH # 2015101073
Ref. IGR/CEQA No. 151044AL-NOP
GTS # LA-2017-00912-DEIR-AL
Vic. LA-101/PM 6.24 to 7.683

Dear Mr. Huerta:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The project is to redevelop a mixed-use development that integrates Crossroads of the World, a designated City Cultural-Historic Monument.

The Project would retain, preserve, and rehabilitate Crossroads of the World and remove all other existing uses on the Project Site, including surface parking lots and approximately 172,573 square feet of existing floor area consisting of 84 residential units and commercial/retail and office uses. The Project would include eight new mixed-use buildings with residential, hotel, commercial/retail, office, entertainment, and restaurant uses, and one new stand-alone retail building. Upon buildout, the Project would include approximately 1,432,500 square feet of floor area consisting of 950 residential units, 308 hotel rooms, approximately 95,000 square feet of office uses, and approximately 185,000 square feet of commercial/retail uses.

Senate Bill 743 (2013) mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. However, the City may use the Level of Service (LOS) methodology until The Governor's Office of Planning and Research (OPR) complete its CEQA Guideline to implement SB743 (https://www.opr.ca.gov/s_sb743.php).

Caltrans is aware of challenges that the region faces in identifying viable solutions to alleviating congestion on State and Local facilities. With limited room to expand vehicular capacity, this development should incorporate multi-modal and complete streets transportation elements that will actively promote alternatives to car use and better manage existing parking assets. Prioritizing and allocating space to efficient modes of travel such as bicycling and public transit can allow streets to transport more people in a fixed amount of right-of-way.

Caltrans supports the implementation of complete streets and pedestrian safety measures such as road diets and other traffic calming measures. Please note the Federal Highway Administration (FHWA) recognizes the road diet treatment as a proven safety countermeasure, and the cost of a road diet can be significantly reduced if implemented in tandem with routine street resurfacing.

We have the following comments after review the environmental document:

1. CMP methodology is not adequate when analyzing freeway impacts. Consultation with Caltrans is necessary for the Lead Agency and traffic consultant to determine significance criteria of the State facilities for all future projects.

2. The project will generate 15,005 daily trips and 1,283/3879 AM/PM peak hour trips. There are 145 related projects in the project vicinity. Therefore, cumulative impacts on the mainline would occur. As a reminder, the decision makers should be aware of this issue and be prepared to mitigate cumulative traffic impacts in the future.

3. On June 6, 2017, traffic consultant presented a proposal regarding traffic impact locations and potential mitigation measures for Caltrans' consideration. The developer is willing to make a fair share contribution toward future improvements on the State facility, within the Hollywood community area. The developer agrees to sign a Traffic Mitigation Agreement with Caltrans prior to circulation of the FEIR.

4. Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan.

5. Transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways, will require a transportation permit from Caltrans. It is recommended that large size truck trips be limited to off-peak commute periods.

Caltrans will continue to work with the Lead Agency and/or traffic consultant closely in an effort to evaluate traffic impacts, identify potential improvements, and complete a Traffic Mitigation Agreement before the FEIR release. If you have any questions, please feel free to contact Alan Lin the project coordinator at (213) 897-8391 and refer to GTS # 07-LA-2017-00912AL-DEIR.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse

Conformed Copy

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March 23, 2018

RECEIVED
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CITY PLANNING
PROJECT PLANNING

VIA HAND DELIVERY

May Sirinopwongsagon
Planning Commission Hearing Officer
Los Angeles Advisory Agency
Department of City Planning
200 N. Spring Street, Room 621
Los Angeles, CA 90012

Re: TAO HOTEL - Objections to the Site Plan Review, Zone Change, Height District Change, Conditional Use Permit-Alcohol, Mitigated Negative Declaration and all other entitlements for the Selma Wilcox Hotel Project located at 6421-6429 W. Selma Ave. and 1600-1604 N. Wilcox Ave; CPC-2016-2601-VZC-HD-CUB-ZAA-SPR; VTT-74406; ENV-2016-2602-MND and related cases.

NOTE: In a separate, but coordinated cover letter, we attach a single copy of the voluminous exhibits that support this Project comment letter for the record. This Project comment letter (original and 3 copies) will be submitted without multiple reproduction of the Exhibits, and reference can be made to the record for the supporting documentation.

Dear Ms. Sirinopwongsagon and Advisory Agency:

I. INTRODUCTION.

This firm and the undersigned represent The Sunset Landmark Investments, LLC (hereinafter "Sunset Landmark"). Please keep this office on the list of interested persons to receive timely notice of all hearings and determinations related to the proposed approval of an eight-story hotel at 6421-6429 W. Selma Avenue and 1600-1604 N. Wilcox Avenue, commonly known as the Selma Wilcox Hotel Project ("Tao Hotel" or "Project"). Pursuant to Public Resources Code Section 21167(f), provide a copy of each and every Notice of Determination issued by the City in connection with this Project. Sunset Landmark adopts and incorporates by reference all Project objections raised by themselves and all others during the environmental review and land use entitlement processes.

II. CITY COUNCIL MUST DENY ALL APPLICATIONS FOR TAO HOTEL BECAUSE THE PROJECT AS PROPOSED IS UNLAWFUL.

Sunset Landmark Investments respectfully submits this letter and accompanying exhibits, demanding that the City Council deny all above-referenced applications submitted by the owner/applicant for the following reasons:

(1) The entire concept for the Tao Hotel is to create an over-developed, nuisance-generating, "party hotel" as part of a whole line of similar projects developed by the same developer for the purpose of injecting foreign investment money into a place where none of this was planned, and for which the infrastructure is not designed to support. The developer asks for the "sun, the moon, and the stars" when there is not a hint that the scope of this request is appropriate.

(2) The City relies upon facially invalid interpretations of LAMC 12.22 A18 and 12.12 C4 (**Exhibit 1** [Summary of Zoning Administrator Interpretation dated May 18, 2000 and Zoning Engineer Memo dated February 10, 2009]) to claim that R5 zone density is permitted on commercially zoned lots in Regional Center Commercial land use designations across the City, including Hollywood, and, even more incredibly, that the authorized residential unit density limit is "unlimited" as to hotel rooms because City Council failed to specify a guest room limit in LAMC 12.12 C. Based upon these ludicrous interpretations, that are injecting more than double unit density into Regional Commercial Centers across the City without any textual support in the LAMC sections cited, and without environmental review of the cumulative impacts, the City claims the Tao Hotel can have 114 rooms. Thus, the Project as proposed is unlawful because it proposes a project more than 104 hotel rooms which is the lawful number of guest rooms in the C4 or C2 zone in which this site lies. The hotel will therefore be a monster building, twice the size the City planned for in the Hollywood Community Plan, the Hollywood Redevelopment Plan, and the City's zoning.

(3) The Project as proposed is inconsistent with the permanent "D" Development Limitation of 2:1 Floor Area Ratio ("FAR") imposed on the site as part of the General Plan Consistency Case 86-835-GPC and applicable City ordinances (**Exhibit 2** [Hollywood General Plan/Zoning

Consistency Program]). Having imposed this 2:1 FAR limit in 1988 to protect the Hollywood community from negative environmental impacts as part of an extensive General Plan Consistency process (**Exhibit 3** [Ordinance 165660]), the City has no authority under Government Code Section 65860 or CEQA to remove the permanent "D" Development Limitation until:

a. The City demonstrates that the negative impacts of overdense development on Hollywood's deficient infrastructure have been mitigated to the maximum extent feasible as part of a lawful comprehensive community planning process (and then comprehensively adjust the 1988 General Plan Consistency Program density restrictions in accordance with the comprehensive review of the community planning process); or

b. The City reduces density on other land in the Community Plan area on a 1 to 1 basis for each parcel of land it purports to increase density (in order to maintain the density limit imposed in the 1988 Hollywood Community Plan and Hollywood General Plan Consistency Program). Such a Floor Area Transfer Program was authorized in the Hollywood Community Plan Section 511, but was never implemented by the former redevelopment agency or its successor agency, CRA/LA; or

c. The City demonstrates compliance with the required enactment of the Transportation Plan identified in the 1988 Hollywood Community Plan Revision process and the 1986/2003 Hollywood Redevelopment Plan process, and guaranteed by the City in Ordinance 165660 to provide a substitute mitigation to the 2:1 FAR density restriction imposed on these parcels in 1988.

The FAR limit of 2:1 was imposed as a CEQA mitigation measure as part of a comprehensive planning process that occurred in conjunction with the 1988 Hollywood Community Plan Revision **and** the 1988 Hollywood General Plan Consistency Program. As extensively documented in **Exhibit 2**, there is no reasonable dispute that a comprehensive downzoning of Hollywood occurred in 1988 because significant negative impacts would occur if the City's 1946 zoning densities were allowed to be constructed

without limitation -- which is what the City is doing on a parcel by parcel based now.

Based upon this zoning history, the Tao Hotel Project is actually asking for a rezoning that authorizes a taller and larger building than allowed by law. The City and Developer, once again presume the City can just enact a new ordinance and it will override Ordinance 165,660 that imposed the 2:1 FAR "D" Development Limitation.

Because the City proposes to erase the FAR density limit without complying with any of these requirements so as to avoid cumulative negative impacts in raising density without protecting the Hollywood community with equally effective mitigation measures, its action is unlawful and cannot be approved. Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 358-359 ("We therefore hold that a governing body must state a legitimate reason for deleting an earlier adopted mitigation, and must support that statement of reason with substantial evidence. If no legitimate reason for the deletion has been stated, or if the evidence does not support the governing body's finding, the land use plan, as modified by the deletion or deletions, is invalid and cannot be enforced.") See also Federation of Hillside & Canyon Associations v. City of Los Angeles (2000) 83 Cal.App.4th 1252 , 1261 (City must assure that mitigation measures "will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded.")

The City may not replace the 2:1 FAR density limit of Ordinance 165,660 without a valid reason. Such a valid reason would be that the long awaited Transportation Plan mitigation has been enacted, or a valid new community plan process that includes proper cumulative impact review has been completed. Neither of those things have occurred due to the City's ongoing neglect of the force of law of its general plan.

(4) The former redevelopment agency, its lawful successor CRA/LA, and the Los Angeles City Council have violated their duties imposed by the Hollywood Redevelopment Plan, and cited in Ordinance 165,660 as a valid basis to modify the mitigation measure of the 2:1 FAR limit imposed in 1988, by failing to adopt the mandatory Transportation Plan that must be in place before the CRA/LA has legal authority to authorize any increase on

this property above 2:1 FAR. We have confirmed with CRA/LA that it never completed and the City Council never enacted the Transportation Plan required by the Hollywood Redevelopment Plan before increases in density would be allowed. Because the Hollywood Redevelopment Plan was adopted by City Ordinance Nos. 161202 and 175236, any project approved without the mandatory Transportation Plan violates City Ordinances 161202 and 175236. (**Exhibit 6** [Ordinances Incorporating Hollywood Redevelopment Plan as City Law].) CRA/LA has been sued by Hollywood Heritage for CRA/LA's more than three decade dereliction of duty to complete any of the implementing programs of the Hollywood Redevelopment Plan. This significantly includes failure to complete and adopt a protective and mitigating Transportation Plan. Therefore, this Project as proposed at nearly double the authorized FAR, is unlawful.

(5) The MND prepared by the City for the Tao Hotel is fatally flawed and cannot support a project approval. The MND failed to accurately disclose and analyze the current zoning, FAR, height, and residential density elements of the Project in the project description and the land use sections of the MND. Moreover, the MND failed to adequately analyze air quality, land use, noise, traffic, and greenhouse gas emissions.

(6) This is the fifth alcohol-soaked "Animal House" party hotel proposed by the same developer group within a few hundred feet of each other – yet the City Environmental Review Unit acts as if they are unrelated. This piecemealing of what has been touted in the media as a "new hotel district" by the developer somehow is allowed to roll out bit-by-bit and piece-by-piece without the comprehensive review CEQA requires. Even more astounding is the fact the City actually approved an MND for a piece of this building in 2015 without requiring review of even the whole building. This is professional environmental review malpractice. It used to be that the City enforced CEQA to prevent developer fraudulent applications of pieces of a larger project. Arviv Enterprises v. South Valley Area Planning Commission (2002) 101 Cal.App.4th 1333. Now the City colludes to ignore and openly defy CEQA's duties.

For all of these basic reasons, most of them fundamental planning concepts apparently thrown out the window by the City Planning Director and his employees, the City Planning Commission and Advisory Agency must exercise restraint by not

rubberstamping another planning disaster in Hollywood fueled by greed and foreign investors with no stake in the integrity of the City's planning processes.

III. RELEVANT FACTS AND BACKGROUND.

The Project site sits within a portion of the Hollywood Community Plan specifically planned and zoned in the 1980s to comply with the mandate of Government Code Section 65860, subdivision (d) ("AB 283"). AB 283 required the City to make its zoning consistent with its General Plan land use designations.

The land use densities adopted in the 1988 Hollywood Community Plan were less dense than the land use densities allowed in the City's 1946 Zoning Ordinance. To make its zoning consistent with the 1988 Hollywood Community Plan, the City Council adopted numerous ordinances, including Ordinance No. 165660, to limit density and height because the area was so distant from high capacity transit. **(Exhibits 2 & 3.)** The City staff, as it has done for four previous hotel projects by this developer, ignores the 2:1 FAR limitation placed on the Project site (via the 1990 Ordinance No. 165660 to restrict these parcels using a "D" Development Limitation), which was specifically imposed to avoid City-acknowledged area wide significant environmental impacts if development was allowed to proceed at the densities under the City's 1946 Zoning ordinance and its 1973 Hollywood Community Plan.

Under the City's Hollywood General Plan Consistency Program, the widespread use of "D" Development Conditions like the one imposed on the Tao Hotel parcel were determined by the City Council to be necessary to bring the City's 1988 Hollywood Community Plan and zoning into conformity, as mandated by Government Code Section 65860(d) and the settlement agreement in litigation brought to enforce the City's mandatory duty to make its zoning consistent with its General Plan. The City made express findings that the "D" Development limitations were imposed to avoid environmental impacts – thus, the mitigation of impacts was incorporated into the City's zoning rules and general plan in order to make the mitigation measure legally enforceable.

Now the developer asks the City to override Ordinance No. 165,660, just like it purported to do on this developer's other projects in the vicinity. In accordance with the Napa and Hillside Federation cases cited above, the City has to show it has a valid basis to allow a density increase when the long-delayed CRA/LA transportation plan required in Ordinance 165,660 as a mitigation measure has never been completed. The developer offers no legitimate basis to take the proposed action. The entire project concept is a

giant noise-generating party hotel proposed next to sensitive receptors who have already bitterly complained about the nuisance noise from the other hotel of this developer.

IV. THE LAWFUL NUMBER OF HOTEL ROOMS IS SET BY THE MUNICIPAL CODE AT 200 SQUARE FEET OF LOT AREA WHICH IS MUCH LESS THAN THE 114 ROOMS PROPOSED BY THE DEVELOPER.

The number of hotel rooms permitted by the express language of LAMC Sections 12.16 or 12.14 is set forth. The math is simple: Divide the appropriate lot size square feet by 200 sf per unit equals the authorized number of hotel rooms. These facts are verifiable. At the moment, the lawful number of units cannot be determined because it appears that the developer has engaged in some kind of piecemeal scheme to count lot area of another building that is not part of this project. Further study of this highly improper process requires the Advisory Agency and Planning Hearing Officer to sever the two projects and count only the lot area where the Tao Hotel is proposed.

Nowhere in the environmental review documents is there a complete, honest, and open explanation of the staff's "logic" and math showing how it determined that 114 hotel rooms was permissible. The Planning staff's obscuring of the basis of their decision telegraphs that even City staff lacks confidence in the legality of a May 18, 2000 Zoning Administrator Interpretation of the zoning code and the February 10, 2009 Zoning Engineer memo. As summarized at page 222 of the LADBS Zoning Manual, the Zoning Administrator claims without any credible basis that a reference in LAMC 12.22-A.18 to R5 land uses are permissible. Closer examination of this "interpretation" reveals that it is a fabrication. The ZAI is unlawful because the Zoning Administrator has undertaken to re-write the Municipal Code, which is a power only held by the City Council.

Additionally, because of the

The plain language of Section 12.22-A,18 does not authorize R5 residential density for a mixed use project in the regional center commercial land use designation. The first portion of LAMC Section 12.22-A,18 provides:

> "18. Developments Combining Residential and Commercial Uses. Except where the provisions of Section 12.24.1 of this Code apply, notwithstanding any other provision of this chapter to the contrary, the

> following uses shall be permitted in the following zones subject to the following limitations: (Amended by Ord. No. 163,679, Eff. 7/18/88.)
>
> (a) Any use permitted in the R5 Zone on any lot in the CR, C1, C1.5, C2, C4 or C5 Zones provided that such lot is located within the Central City Community Plan Area or within an area designated on an adopted community plan as "Regional Center" or "Regional Commercial". Any combination of R5 uses and the uses permitted in the underlying commercial zone shall also be permitted on such lot." (Emphasis added.)

The express language applies only to permitted **uses**, not to permitted residential dwelling unit density expressed in lot area regulation. It is silent as to residential dwelling unit density. Thus, the "theory" that LAMC Section 12.22-A,18 "allows" R5 residential dwelling unit **density** is incorrect, and omission of any reference to it by City staff has the effect of misleading the public.

Even more damning however is the fact that LAMC Section 12.22C, where one would expect to find exceptions stated for lot area residential unit densities, is silent on the question of whether R5 density ought to be allowed in commercially zoned lots in Regional Center land use designations. Silence in no way can be interpreted by a City official as authority to provide for such an exception – especially one which would more than double hotel room densities without any environmental review or notice to anyone.

The undisclosed Zoning Administrator Interpretation of LAMC Section 12.22-A,18(a) is void as contrary to the plain language of the law. If the City Planner is relying on a May 18, 2000 Zoning Administrator Interpretation of LAMC 12.22-A as the basis to allow a R5 zone residential unit density in the Tao Hotel, that reliance is unlawful. The Interpretation reads as follows:

> "One question related to density that arises is whether to apply R5 lot area requirements or R3 / R4 lot area requirements as referenced in the lot area requirements of C zones. In the enforcement of this section, the Zoning Administrator has determined that the lot area requirements of the R5 zone are to be applied to projects subject to this

> section. **Although it is not explicitly stated in the section**, the last sentence of the section **implies** applying area requirements of R5 zone, not R3 or R4 zone. This interpretation has been confirmed by the Office of Zoning Administrator who reviewed the original staff report for the ordinance." (Emphasis added.)

While the Zoning Administrator may possess the authority to clarify an ambiguity in a municipal code provision, he or she has no authority to re-write a City ordinance. Only the City Council has that authority. There is no lawful basis to "interpret" LAMC Section 12.22A18(a) related to authorized "uses" as permitting R5 residential unit density which if it was allowed as the Zoning Administrator claims, the exception would be written into LAMC Section 12.22C – Lot Area.

Stacking one misreading of the LAMC on top of another the City is also relying upon the City's Zoning Manual, page 66, which asserts that because LAMC Section 12.12C4, related to rules for the R5 Zone, is silent as to minimum lot area per hotel guest room, it must be interpreted to mean guest room density is "unlimited." This contention is contrary to basic principles for the construction of a law or ordinance. If the residential unit density for R5 zones was "unlimited", it would say so – it would not be silent. Omission means no authority is granted. If the omission is a mistake, then the proper action of the Zoning Administrator or Zoning Engineer would be to refer the problem to the City Planning Commission for review and enactment of a legislative amendment. The Zoning Engineer does not possess the legislative power of the City Council – especially when releasing unlimited density into thousands of acres of Regional Center Commercial land would have huge environmental impacts.

Additionally, for any code provision to permit "unlimited" density is inconsistent with the entire concept of having a General Plan. The purpose of the General Plan is to determine anticipated future population, and plan for that growth by allocating where in the City the densities are needed and appropriate to meet the expected demand within the planning time frame. To suggest that any part of a zoning code, which implements the density limits of a General Plan, can allow "unlimited" density, is to create a giant loophole that would encourage abusive project applications such as the over dense, noise generating, party hotel that Tao Hotel is destined to become.

The City Planning staff appears to have relied upon the improper Zoning Administrator and Zoning Engineer Interpretations as a pretense to more than double the residential dwelling unit density for the Tao Hotel above that authorized in the LAMC

Sections 12.14 and 12.16. The May 18, 2000 Zoning Administrator Interpretation and the February 10, 2009 Zoning Engineer memo are void because they violate **the plain language of LAMC Section 12.22A18(a) and the absence of an exception in LAMC Section 12.22 C**. And even if this were so, under no circumstances may a City staff member seize upon the absence of a residential unit density limit in LAMC Section 12.12 C4 to "mean" the sky's the limit. That is not how zoning ordinances work. While the Zoning Administrator or Zoning Engineer may have authority to make reasonable interpretations of language actually used by the City Council, he or she has no authority to devise "interpretations," untethered to any fair reading of a municipal code provision. If this is not true, then the Zoning Administrator and Zoning Engineer just became a Los Angeles super legislature to re-write City Council laws. Of course, this is not lawful behavior.

VI. THE CURRENT ZONING OF THE TAO HOTEL WAS ENACTED UNDER THE COMPREHENSIVE GENERAL PLAN CONSISTENCY PROGRAM AS A DOWNZONING MITIGATION MEASURE AND THEREFORE SUCH MITIGATION MEASURE CANNOT BE MODIFIED BY SIMPLE REPEAL, AS THE DEVELOPER HAS ASKED THE CITY TO DO AGAIN AND AGAIN.

Since 1971, the Legislature has required in Government Code Section 65860(a) that all general law cities and counties make their zoning consistent with the adopted general plan. In this way, the Legislature sought to ensure that real planning occurred for the future development of cities and counties, and that the zoning actually implemented it.

Although this law did not apply to charter cities, most of them voluntarily undertook to make their zoning consistent with their general plan – except one. Los Angeles' 1946 zoning code had densities far in excess of the capability of the City's infrastructure to hold it – 10 million people. The City's first community plans concluded after environmental review that the infrastructure could only support between 4 and 5 million residents.

The City Council refused to downzone to make its zoning law consistent with the density its community plans said could realistically be accommodated. Thus, the City Council during the mid- and late-1970s continued to allow developers to construct projects consistent with the 1946 zoning, but grossly inconsistent with the general plans of the City.

A. **The Legislature In 1979 Mandated That Los Angeles Make Its Zoning Ordinances (Codes) Consistent With Its General Plans.**

Responding to calls for intervention, the State Legislature in Assembly Bill 283 ("AB 283") amended Government Code section 65860 to add subdivision (d) that applied to the City of Los Angeles:

> "(a) **County or city zoning ordinances shall be consistent with the general plan of the county or city** by January 1, 1974. A zoning ordinance shall be consistent with a city or county general plan only if: (i) The city or county has officially adopted such a plan, and (ii) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in such a plan.
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> * * *
>
> **(d) Notwithstanding Section 65803, this section shall apply in a charter city of 2,000,000 or more population to a zoning ordinance adopted prior to January 1, 1979, which zoning ordinance shall be consistent with the general plan of such city by July 1, 1982.**" (Emphasis added)

Subdivision (d) required the City to make all of its zoning ordinances (municipal code provisions) and zoning maps consistent with its adopted general plan no later than 1981, and then after amendment, 1982. The City instead sued the State of California claiming that the act was unconstitutional.

After the City won in the trial court, the State prevailed in the Court of Appeal and the California Supreme Court denied review. Thus, the Court of Appeal's decision in City of Los Angeles v. State of California (1982) 138 Cal.App.3d 526 made the consistency requirement between general plans and zoning ordinances a mandatory duty of the City.

B. Center For Law In The Public Interest Sues To Force City To Comply With The State Consistency Requirement Of AB 283 (Government Code § 65860(d)).

Because the Court of Appeal decision did not order the City to comply with state law, the City continued to drag its feet in commencing proceedings to downzone properties to make all zoning ordinances and maps conform with City general plans. The Center for Law In The Public Interest then initiated litigation seeking a writ of mandate to force the City to comply with the state law. In Federation of Hillside and Canyon Associations et al. v. City of Los Angeles (C 526616), the Superior Court quickly issued a writ ordering the City to make its zoning code consistent within 120 days. For reasons not relevant to the issues in this case, the City ultimately entered into a stipulated judgment with the Federation and other plaintiffs to take longer to complete the project under a court-appointed monitor to oversee the consistency process and report back to the Court – a process which ended up taking more than a decade.

C. The Hollywood Community Plan Zoning Map Was Made Consistent With The Hollywood Community Plan In Case Numbers 83-368 and 86-835-GPC And Supported With Recirculation Of The Original Hollywood Community Plan EIR (EIR No. CPC-1070-GP/ZC) and the Hollywood Redevelopment Plan EIR (SCH No. 85052903).

As the City carried out the AB 283 consistency process under the supervision of a court monitor, it complied with CEQA by recirculating the Hollywood Community Plan EIR in May 1988 and the January 1986 Hollywood Redevelopment Plan EIR in May 1988. The General Plan Consistency Program, as explained under oath by the City's former Planning Director, was necessary to significantly reduce the City's zoning density to conform with its 35 community plans. (**Exhibit 2** [Hollywood General Plan Consistency Proceedings; Declaration of Cal Hamilton].) From spring of 1988 to early 1990, the City carried out the Hollywood General Plan Consistency Program to bring itself in compliance with Government Code Section 65680(d) and the Hillside Federation settlement agreement. (**Exhibit 2.**) The downzoning of the Hollywood Community Plan, in the form of changes to the Community Plan and imposition of permanent "D" Development and "Q" Qualified Conditions, were expressly required as a mitigation measure to avoid infrastructure failures across the Hollywood Community Plan area – until the CRA and City implemented a Transportation Plan. (Id.) Documents of the City and CRA acknowledge that these reductions in density were required **until such time as the Transportation Plan was enacted**. (**Exhibit 2.**)

A similar process was carried out for every community plan across the City until 200,000 lots were downzoned to protect the City's residents from serious negative impacts of deficient public services infrastructure to support the overly-intense City zoning map densities dating back to 1946.

The subject properties for the Tao Hotel (SubArea 90) were expressly down zoned as to FAR to 2:1, as set in Ordinance 165,660. (**Exhibit 3.**) In downzoning these lots, the City was made findings relied upon by the public and the monitoring court in the Hillside Federation litigation that it would enforce the mitigation measure of downzoning by incorporating the changes into zoning, including the zoning changes now in place on the Project Site for the Tao Hotel. These limits of density remain in place and binding today because, incredibly, 30 years later neither the former CRA, nor its successor agency, nor the City, ever enacted the promised Transportation Plan to provide the required planning framework and infrastructure to enable increases in authorized density. The record in this case is devoid of any evidence the Transportation Plan was ever enacted, and it fact we have verified with CRA/LA it was never enacted. In fact, Hollywood Heritage has sued the CRA/LA for non-performance and completion of any of the Hollywood Redevelopment Plan implementing programs, including the never completed Transportation Plan.

Our Court of Appeal, in a case against the City of Los Angeles over its General Plan Framework, made quite clear that when the City adopts mitigation measures to implement a general plan, it has a duty to make sure they are carried out:

> "CEQA requires the agency to find, based on substantial evidence, that the mitigation measures are 'required in, or incorporated into, the project' . . . ([Public Resources Code] § 21081; [CEQA] Guidelines, § 15901, subd. (b).) In addition, the agency 'shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures.' ([Public Resources Code] § 21081.6, subd. (b))(fn.4) and must adopt a monitoring program to ensure that the mitigation measures are implemented. ([Public Resources Code] § 21081.6, subd. (a)). The purpose of these requirements is to ensure that feasible mitigation measures *will actually be implemented* as a condition of development, and not

> merely adopted and then neglected or disregarded. (See [Public Resources Code § 21002.1, subd. (b).)(fn. 5)"
>
> [Footnote 4 by the Court]: "A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, incorporating the mitigation measures into the plan, policy, regulation, or project design." (§ 21081.6, subd. (b).) **In the context of this statute, to incorporate mitigation measures into a project means to amend the project so that the mitigation measures necessarily will be implemented, such as by reducing the scope of the project or requiring that mitigation measures be implemented as a condition of the project.** (See Guidelines, § 15126.4, subd. (a)(1)(A), and former § 15126, subd. (c), both distinguishing mitigation measures proposed by the project proponent from those 'required as conditions of approving the project.')"
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> [Footnote 5 by the Court]: "'Each public agency shall mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.' (§ 21002.1, subd. (b).)" Federation of Hillside and Canyon Associations v. City of Los Angeles (2000) 83 Cal.App.4th 1252, 1260-1261 (italic emphasis by the Court, bold and underline emphasis added.)

Based upon this precedent, there can be no serious claim by the City that it does not have a legal duty to assure full implementation of the Hollywood Community Plan General Plan Consistency Program in order to protect the health, safety and environmental welfare of the community. That includes maintaining the permanent D

Limitation until alternative mitigation measures are comprehensively evaluated and imposed to protect the Hollywood community.

D. Because The FAR Restrictions Were Adopted Environmental Mitigation Measures To Avoid Significant Impacts, The City Council May Not Amend Or Delete These Mitigation Measure Enactments Without Full Disclosure And Analysis In An EIR, As Well As A Comprehensive Planning Process That Accounts For The Potential Cumulative Negative Impacts Of Ignoring General Plan Consistency Program Measures.

This case, like many cases in Hollywood recently, poses the question of whether the City may bring its Hollywood Community Plan and zoning into consistency with the density projections underlying the Plan for a moment in time (1988) (what would be called "paper consistency'), and then begin an incremental parcel by parcel removal of the density limits imposed as a mitigation measure to comply with the Community Plan's density limits. The answer is obvious: such modification of community-wide mitigation may not be removed or changed without a new comprehensive general plan and zoning consistency process such as what occurs in association with amendment of an entire community plan. Nor, of course, has any proper or adequate level of disclosure and analysis of this type been provided in the instant MND, further rendering it deficient and in violation of CEQA.

This conclusion is supported by two important limitations on the City Council's authority. First, parcel-based general plan amendments were prohibited as part of the 1969 City Charter amendments to the Planning Department provisions. These critical Charter amendments were enacted by the People to: (1) enforce the comprehensive planning goals of the People in having a meaningful General Plan, and (2) eliminate the very parcel-based rezoning scam that led to the conviction of a City Councilmember for bribery.

Second, the adoption of the City's General Plan Consistency recommendations for Hollywood was a comprehensive set of recommended reductions in permitted FAR, height, and uses intended to enforce the density planned for in the 1988 Hollywood Community Plan. These critical reductions in density, collectively brought Hollywood's zoning density into consistency with its general plan density.

It is still unclear how quickly after the City certified to the Court in the Hillside Federation case that the City's general plan consistency was "complete" that it began to

quietly allow developers to apply for general plan amendments and/or zoning changes to change that reduced density zoning without maintaining the protective effect of the density limits until alternative plans, like the Transportation Plan of the CRA, were in place.

Parcel-by-parcel, the City is asserting it has the authority to simply rezone every parcel in the City without regard to whether the present zoning, FAR limits, permanent "D" or "Q" conditions were imposed as a mitigation measure of the City's General Plan Consistency Program. The Palladium Project, the Columbia Square Project, 5901 Sunset Project, the Dream, Wilcox and Selma Hotels (the same applicant as the Tao Hotel) and many other projects within a short distance from the Tao Hotel, all include rezoning that purported to lawfully wipe out General Plan Consistency mitigation measures imposed on those lots. Incredible density increases are being authorized, including as proposed in this Project, without disclosure in the MND or the Staff Recommendation Report to the public or analysis of the potential negative cumulative impact on the Hollywood General Plan Consistency Program.

In essence, the City has embarked on a giant expansion of density in Hollywood without even bothering to lawfully complete a Hollywood Community Plan Update that analyzed it and justified changes to the current limitations imposed on many parcels of land in the Hollywood Community Plan area.

In recent years, the City undertook to revise and update the Hollywood Community Plan. Unfortunately, the City Planning Department's environmental review and planning process for that comprehensive planning activity went off the rails. The trial court, the Hon. Allan Goodman, found the City's planning and environmental review process for the Hollywood Community Plan Update ("HCPU") was "fatally flawed". Multiple groups sued the City over the HCPU because it used demonstrably false and inflated population projections to try to justify massive increases in density. Additionally, the City failed to properly conduct environmental analysis related to the HCPU.

Accordingly, neither in the EIR for the now rescinded HCPU, nor in the EIR or MND for individual projects where the City proposes to wipe out protective mitigation measures of the General Plan Consistency Program, including the MND in this case, has the City ever analyzed and accounted for its incremental increases in density without regard to the potential negative impacts on the community. The City has simply presumed it can do it because no one has previously objected to it.

Our client and many other community organizations strenuously object. The City could only remove General Plan Consistency Program mitigation down zoning as part of the next comprehensive update of its Hollywood Community Plan, and only if it does so in full compliance with CEQA. That clearly has not yet happened. In the alternative, assuming that a parcel-based general plan amendment is lawful, which it is not, then any rezoning that upzones parcel(s) in the Hollywood Community Plan area could only be lawful if the City Council downzones other parcel(s) to maintain the cumulative protective balance of the General Plan Consistency Program. Such a density transfer program was contemplated in Section 511 of the Hollywood Redevelopment Plan, but like the 30 year absence of an adopted Transportation Plan, the redevelopment agency nor CRA/LA ever completed a Density Transfer program in Hollywood. With each unmitigated parcel-by-parcel removal of a General Plan Consistency Program mitigation zoning provision, the City has engaged in an extremely serious and unaccounted for densification of the Hollywood Community Plan area that is inconsistent with the density for which it is currently planned.

VII. THE FORMER REDEVELOPMENT AGENCY'S FAILURE TO PREPARE A TRANSPORTATION PLAN MEANS THAT NO INCREASES IN DEVELOPMENT DENSITY CAN BE GRANTED UNDER THE "D" DEVELOPMENT LIMITATION.

Even if the "D" Development Limitation remained in place on the Tao Hotel property, its density could not be properly increased because the former redevelopment agency and the Los Angeles City Council have failed for 30 years to prepare a Transportation Plan intended as a substitute mitigation measure. As written in plain language and as explained in a letter from CRA in August 1988, the intent of all the reductions in density adopted as part of the Consistency Program was to keep them in place until the Transportation Plan was completed. Thus, the program intent was expressly acknowledged by the CRA itself.

Since 1986, when the Hollywood Redevelopment Plan was first approved, the former redevelopment agency committed to developing and adopting a Transportation Plan. This critical plan has never been completed and it has been sued over the failure to do so twice. Nonetheless, the former redevelopment agency, and now the CRA/LA, has begun approving development permits in the Redevelopment Plan area without knowing whether or not the cumulative impact of development has reach critical thresholds. The Redevelopment Plan EIR specifically concluded that Hollywood would have unacceptable levels of traffic service when average FAR for the entire Plan area reached 2:1. We now possess evidence that the City has reached the 2:1 density which obligates

CRA/LA to immediately commence a plan to reduce the impacts on the infrastructure of Hollywood. CRA/LA refuses to acknowledge that the 2:1 threshold has been reached and is shirking its duties under the Hollywood Redevelopment Plan that would entitle any owner to access the land use benefits of the Plan.

Under the Plan, the former redevelopment agency, and now the CRA/LA, was required to prepare a plan for how to constrain and protect Hollywood's transportation infrastructure if average FAR reached 2:1. Recently, Barron McCoy of the CRA/LA gave a letter to the City of Los Angeles claiming that development activity has not yet reached 2:1, but his letter was unsupported with any evidence. It was bold assertion with no supporting evidence, substantial or otherwise, behind it. If the City and the CRA/LA cannot show their math, they have no credible evidence to support proceeding to approve any more increases in development such as the Tao Hotel, until such time as they can prove it.

We understand that the former redevelopment agency, and the CRA/LA, has not submitted any of the required transportation monitoring reports to the City for years. In the absence of an adopted and enforceable Transportation Plan, and ongoing noncompliance with monitoring commitments of the former redevelopment agency, there would be no valid basis for the City or CRA/LA to allow any increase in density.

The developer's attorneys in the other cases by the developer tried to skirt this issue by claiming that since the 1988 Hollywood Community Plan and the Hollywood General Plan/Zoning Consistency Program were adopted, the Metrorail Red Line was added as a transportation improvement. The Hollywood Community Plan, Hollywood Redevelopment Plan and the Hollywood General Plan/Zoning Consistency Program all took into account the planned subway improvement. (**Exhibit 2.**) It is shown on the maps and zoning was put in place to encourage the greatest density immediately adjacent to the stations. The Red Line is a "red herring" of the developer's attorneys. All plans acknowledged that the former redevelopment agency was required to undertake and develop major street improvements, improve traffic management systems, carry out transportation demand management initiatives, in order to avoid system failure at average FAR densities above 2:1 throughout the Hollywood core. The utter failure to complete a transportation plan lies at the feet of the former redevelopment agency and the Los Angeles City Council. No one should be distracted by the waving of a Red Line subway map by the developer's attorneys. They cannot make excuses for the City and redevelopment agency's failures.

By approving Land Use Entitlements for the Tao Hotel project, the City would violate the General Plan/Zoning Consistency Program's limitation placed on the property because the Project cannot be approved for FAR above 2:1 without a completed CRA/LA Transportation Plan. The permanent "D" Development Limitation cannot be removed from this parcel of land without the City and CRA/LA satisfying all of its requirements, including a completed Transportation Plan. Since 1986, the former redevelopment agency had failed to complete and enact the Transportation Specific Plan to avoid significant impacts from increased density development – an ongoing violation being carried forward by the CRA/LA – the Tao Hotel site may only be developed to a density of 2:1. Having approved the Project with a density nearly two times the authorized density, the City Council would violate law if it approved this Project as currently proposed.

VIII. THE MITIGATED NEGATIVE DECLARATION VIOLATES CEQA. BECAUSE THERE IS NO SHOWING THAT SIGNIFICANT IMPACTS ARE NOT POSSIBLE, AN EIR IS REQUIRED.

The City has chosen to prepare a mitigated negative declaration ("MND") for the Tao Hotel project, just like it did for the Wilcox Hotel, the Selma Hotel, and a chunk of the proposed Tao Hotel. The choice blatantly and unquestionably violates the California Environmental Quality Act ("CEQA"), found at Public Resources Code § 21000, *et seq.*, because the evidence in the MND shows that the Project will likely have a significant impact in several areas examined herein.

An MND may only be used for a project where the public agency can demonstrate that, with the mitigation measures incorporated in the MND, "*clearly no* significant effect on the environment would occur, and [] there is *no* substantial evidence in light of the whole record before the public agency that the project, as revised, *may* have a significant impact on the environment." (CEQA § 21064.5, emphasis added; Guidelines § 15070 (b), 15369.5.) Thus, the MND here must show "clearly" that there is *no* substantial evidence that the Tao Hotel may cause a significant impact on the environment in Hollywood. The City must prepare an EIR if there is any substantial evidence in the record that would support a fair argument that a significant impact is possible, regardless of any other evidence in the record. Parker Shattuck Neighbors v. Berkeley City Council (2013) 222 Cal.App.4th 768,776; Friends of "B" Street v. City of Hayward (1980) 106 Cal.App.3d 988, 1002. The determination of whether a fair argument exists is a question of law. Sierra Club v. County of Sonoma (1992) 6 Cal.App.4th 1307, 1319.

A strong presumption in favor of requiring preparation of an Environmental Impact Report ("EIR") is built into CEQA. This presumption is reflected in what is known as the "fair argument" standard, under which an agency must prepare an EIR whenever substantial evidence in the record supports a fair argument that a project may have a significant effect on the environment. Laurel Heights Improvement Ass'n v. Regents of the Univ. of Cal. (1993) 6 Cal.4th 1112, 1123; No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68, 75.

Under CEQA and the CEQA Guidelines, if a project may cause a significant effect on the environment, then the lead agency must prepare an EIR. Pub. Res. Code §§ 21100, 21151. A project "may" have a significant effect on the environment if there is a "reasonable probability" that it will result in a significant impact. No Oil, Inc. v. City of Los Angeles, supra, 13 Cal.3d at 83 n. 16. If any aspect of the project may result in a significant impact on the environment, an EIR must be prepared even if the overall effect of the project is beneficial. CEQA Guidelines § 15063(b)(1).

The fair argument test is a "low threshold" test for requiring the preparation of an EIR. No Oil., supra,13 Cal.3d at 84. This standard reflects a preference for requiring an EIR to be prepared, and a preference for resolving doubts in favor of environmental review. Mejia v. City of Los Angeles (2005) 130 Cal.App.4th 322, 332.

CEQA Guidelines Section 15384(a) defines "substantial evidence" as "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached . . . ." (Emphasis added.) Under Pub. Res. Code Sections 21080(e), 21082.2(c), and CEQA Guidelines Sections 15064(f)(5) and 15384, facts, reasonable assumptions predicated on facts, and expert opinions supported by facts can constitute substantial evidence.

An agency must prepare an EIR whenever it can be fairly argued on the basis of substantial evidence that a project may have a significant environmental impact. If there is substantial evidence both for and against preparing an EIR, then the agency must prepare the EIR.

There is substantial evidence in the MND, considered together with its technical appendices, showing the possibility that the Tao Hotel will cause a significant adverse impact on the environment in several topic areas. Substantial evidence supports a fair argument that there will in fact be a significant effect as to construction noise. Further, the MND fails to show "clearly" that there will be no significant impact on air quality,

greenhouse gas emissions, land use, and cumulative traffic. The evidence in the City's own CEQA document shows conclusively that a full environmental impact report is required for this Project. Gentry v. City of Murietta (1995) 36 Cal.App.4th 1359, 1399-1400 ("an agency may adopt a negative declaration only if there is no substantial evidence that the project '*may*' have a significant effect on the environment." [Emphasis in original.])

A. The Project Description is Deficient and Masks Potential Significant Impacts.

The City did not provide a full and accurate Project description for the MND circulated to the public for review. Nowhere does the MND disclose that the Project as proposed conflicted with the current C4 or proposed C2 zoning limitations on residential unit density (number of hotel rooms). And while it begrudgingly acknowledged that there was a "D" Development Limitation that restricted the FAR to 2:1, there was no disclosure to the public and decision makers that the City committed in 1988 to the density limit on the Project site unless or until a density transfer program was created under Hollywood Redevelopment Plan Section 511, or a Transportation Plan was created under Section 518.1 thereof. In fact, none of the terms of Ordinances 165,660 are described that would have illustrated that the current law does not allow anything close to the massive size of the Tao Hotel.

Additionally, the MND's use of not one but two baselines is an open admission that the City's MND for the "Tao Restaurant and Retail Project" was nothing but analysis of a chunk of an overall project that was required, at a minimum, to be analyzed in the same environmental document. Under what theory did the City approve an MND for a partial complete building, and then issued building permits for it when an application for another piece of the same building was to be later sought? What kind of three card Monte game is the City playing with the public and those whose lives are affected by this Project?

It is time for the City Hearing officers to stop signing their names to facially invalid environmental review documents, and require this development scam to prepare a full EIR for all of his known and unknown hotel aspirations.

"Where an agency fails to provide an accurate project description, or fails to gather information and undertake an adequate environmental analysis in its initial study, a negative declaration is inappropriate." Nelson v. County of Kern (2010) 190 Cal.App.4th 252, 267 (emphasis added).

"An accurate and complete project description is necessary for an intelligent evaluation of the potential environmental impacts of the agency's action." City of Redlands v. County of San Bernardino (2002) 96 Cal.App.4th 398, 406. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal . . . and weigh other alternatives in the balance.' [Citations omitted]." Center for Sierra Nevada Conservation v. County of El Dorado (2012) 202 Cal.App.4th 1156, 1171.

Here, in violation of CEQA, the City's project description fails to include the full zoning history of the site, including the fact that Ordinance 165,660 imposed the 2:1 FAR limit as an adopted mitigation measure for the Hollywood Community Plan and Hollywood General Plan/Zoning Consistency Program EIRs. The project description also omits the City's "logic" in applying a May 2000 Zoning Administrator Interpretation and February 2009 Zoning Engineer memo to enable the reviewing public to comprehend that the Project involved a building with more than twice the number of hotel rooms as allowed by the correctly applied zoning code for the applicable commercial zoning. If the City is relying on a Zoning Interpretation, it must be cited and appended to the environmental review documents instead of gaslighting the public by pretending this reality does not exist.

On more than one occasion, when the City or CEQA consultants for developers have no answer regarding violations of land use laws of the City, they simply omit the analysis. This was done here. By purposely omitting key aspects of the zoning history and various interpretations it relied upon, such omissions led to a fatally flawed analysis of other issues in the MND.

B. The MND's Land Use Analysis Fails To Disclose Significant Land Use Impacts.

In City Planning Case No. 86-835 GPC [General Plan Consistency], the City prepared and/or recirculated an EIR for the Hollywood Community Plan in support of the consistency program. (**Exhibit 2.**) At various times in 1988-1990, the City approved resolutions and enacted ordinances to impose PERMANENT "D" Development Limitations of Subarea Map parcels throughout the Hollywood Community Plan and Redevelopment Plan area.

In Ordinance 165,660 dated May 6, 1990, as part of AB 283 compliance under City Planning Case 86-835- GPC, the City enacted the ordinance that imposed the

permanent "D" Development Limitation on the Tao Hotel property, which was located within Subarea 90 on the General Plan Consistency map. (**Exhibit 2.**) LAMC Section 12.32 regarding D Development conditions expressly provides that "D" Development Limitations are permanent (until revised in the next community plan revision process).

The City's supporting EIR for these actions (Hollywood Plan Revision Environmental Impact Report (SCH NO. 87-112504)) concluded that without reductions in authorized density to mitigate or avoid significant environmental impacts, the City's infrastructure in Hollywood would suffer overwhelming impacts that endangered public health and safety (including police and fire response times). The imposition of the AB 283 "D" Development Limitation on the Tao Hotel site, and many parcels in Hollywood, was intended to avoid environmental impacts from over-dense development, unless and until the CRA completed a Transportation Plan to avoid those significant impacts. That the former redevelopment agency would be responsible for balancing the infrastructure issues through the Transportation Plan was summarized in a "Next Steps Hollywood Community Plan Revision" memo made public in the midst of the planning process. This memo explains that it was necessary to limit development by right to reduced densities which the CRA called "practical buildout", or 36 million square feet of development, instead of the "theoretical buildout" of the zoning from the City's 1946 zoning code, which would have allowed 88 million square feet. (**Exhibit 2.**)

The City has been on notice that it could not remove the permanent "D" Development Limitation until such time as the CRA/LA (successor agency to the former redevelopment agency) prepared the Transportation Plan it committed to complete in the 1986 Hollywood Redevelopment Plan, and supported it with new environmental analysis showing that the adopted Transportation Plan solved the risks of environmental harm that had justified imposition of the permanent "D" Development Limitation in the first place.

Accordingly, the "D" Development Limitation cannot be removed by the City Council as it proposes to do in this case, and substituted with a new CONDITIONAL "Q" condition and "D" Development Limitation. The permanent "D" Development Limitation, given that it was imposed to avoid significant environmental harm from over-dense development, and that it was required to be imposed in order to bring the City into compliance with Government Code Section 65680(d) under a legal settlement, means that it cannot be removed until the CRA/LA completes and adopts a Transportation Plan that eliminates the potential environmental harm from development at a FAR greater than the 2:1 imposed on this parcel.

None of this critical land use history was included in either the Project Description or the Land Use analysis of the MND materials. In fact, due to its complexity, and because the Project as proposed grossly violates the 2:1 FAR limit imposed by the "D" Development Limitation under the General Plan/Zoning Consistency program, the City, and now CRA/LA, must prepare an EIR to explain these complexities and provide the public an opportunity for participation in the CEQA process.

Accordingly, the MND fails to properly disclose and analyze the proper Project description or disclose, analyze and mitigate the land use impacts of the proposed Project, which nearly doubles the authorized FAR, and more than doubles the authorized number of hotel rooms.

C. CONCLUSION REGARDING ENVIRONMENTAL REVIEW.

In sum, the MND fails on multiple grounds, and as to multiple types of environmental effects, to meet the test for a mitigated negative declaration. It has failed to show no possibility of a significant impact on the environment as to air quality, noise and vibration, greenhouse gas emissions, and traffic. An EIR is clearly required.

IX. SUMMATION.

The Tao Hotel is an ill-conceived, noise generating nuisance "party hotel" that should have never come out of a Planning Department conference room. Multiple deliberate misconstructions of the LAMC are used to unlawfully increase the residential unit density, FAR, and height of the building. There is no legitimate basis to approve this Project as proposed. Given the numerous hotels of the same developer in the immediate vicinity, it is time for the City to acknowledge that this multi-hotel project must be analyzed comprehensively in a full EIR.

Very truly yours,

Daniel Wright

DANIEL WRIGHT
FOR
THE SILVERSTEIN LAW FIRM, APC

DEW:vl
cc: Client

LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: AUG 17 2018

Case No. CPC-2016-2601-VZC-HD-CUB-ZAA-SPR Council District: 13 – O'Farrell
CEQA: ENV-2016-2602-MND
Plan Area: Hollywood

Project Site: 6421 – 6429 ½ West Selma Avenue;
1600 – 1604 North Wilcox Avenue

Applicant: 6421 Selma Wilcox Hotel, LLC
Representative: Alfred Fraijo Jr., Shepard, Mullin, Richter & Hampton, LLP

At its meeting of **July 12, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

The continued maintenance of a 20,624 square-foot ground floor restaurant and the construction of a new 1,939 square-foot ground floor restaurant and a 114 guest room hotel over three levels of subterranean parking. The proposed building measures approximately 88.6 feet in height, with eight stories, and 79,878 net square feet of floor area. The proposed restaurant would have a maximum of 100 seats (60 indoor and 40 outdoor seats). The hotel would have a lobby bar with 48 seats and the rooftop would include a pool and amenity deck with a bar/lounge area with a maximum of 187 seats, and other accessory uses. No change is proposed for the existing 20,624 square-foot restaurant. The Project proposes to provide 50 parking spaces on-site within the subterranean structure and 36 parking spaces off-site to be accessible via a valet service.

1. **Found**, pursuant to CEQA Guidelines Section 1507 4(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2016-2602-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; **found** the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; **found** the mitigation measures have been made enforceable conditions on the project; and **adopted** the Mitigated Negative Declaration and the Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;
2. **Approved** and **recommended** that the City Council **adopt**, pursuant to Section 12.32 F and Q of the Los Angeles Municipal Code (LAMC), a Vesting Zone Change and Height District Change from C4-2D to (T)(Q)C2-2D;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Conditional Use Permit for the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with the operation of a 1,939 square-foot restaurant with 100 seats (60 indoor and 40 outdoor seats), and 114 guest room hotel including the ground floor lobby bar with 48 seats, in-room mini-bars, and a rooftop amenity deck with a bar lounge area with a maximum of 187 seats, and pursuant to LAMC Section 12.24 S, up to a 20

percent reduction in the required parking;

4. **Approved**, pursuant to LAMC Section 12.28, a Zoning Administrator's Adjustment to permit a 10-foot northerly side yard and a 19-foot easterly rear yard in lieu of the required 11-foot side yard and 20-foot rear yard setbacks, pursuant to LAMC Sections 12.14 C.2, 12.11 C2 and 12.11 C3;
5. **Approved**, pursuant to LAMC Section16.05, Site Plan Review for the construction, use, and maintenance of a project with 50 or more guest rooms;
6. **Adopted** the revised "Exhibit A";
7. **Adopted** the attached Conditions of Approval as modified by the Commission including Staff's Technical Modification dated July 11, 2018; and
8. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved:	Ambroz
Second:	Mack
Ayes	Choe, Millman, Mitchell, Dake Wilson
Nayes:	Khorsand, Perlman
Absent:	Padilla-Campos

Vote: **6 - 2**

James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: *The decision of the Los Angeles City Planning Commission regarding the Vesting Zone Change and Height District Change is not appealable.* The remainder of the determination letter is appealable to the City Council within 20 days of the mailing of this determination letter. The filing of an appeal stays proceedings in the matter until the appellate body makes a decision. An appeal not filed within the 20-day period shall not be considered by the Council.

Appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: SEP 06 2018

Notice: An appeal of the CEQA clearance for the Project pursuant to Public Resources Code Section 21151(c) is only available if the Determination of the non-elected decision-making body (e.g., ZA, AA, APC, CPC) **is not further appealable and the decision is final.** The applicant is advised that any work undertaken while the CEQA clearance is on appeal is at his/her/its own risk and if the appeal is granted, it may result in (1) voiding and rescission of the CEQA clearance, the Determination, and any permits issued in reliance on the Determination and (2) the use by the City of any and all remedies to return the subject property to the condition it was in prior to issuance of the Determination.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of

Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Zone Change Ordinance, Modified Conditions of Approval, Findings

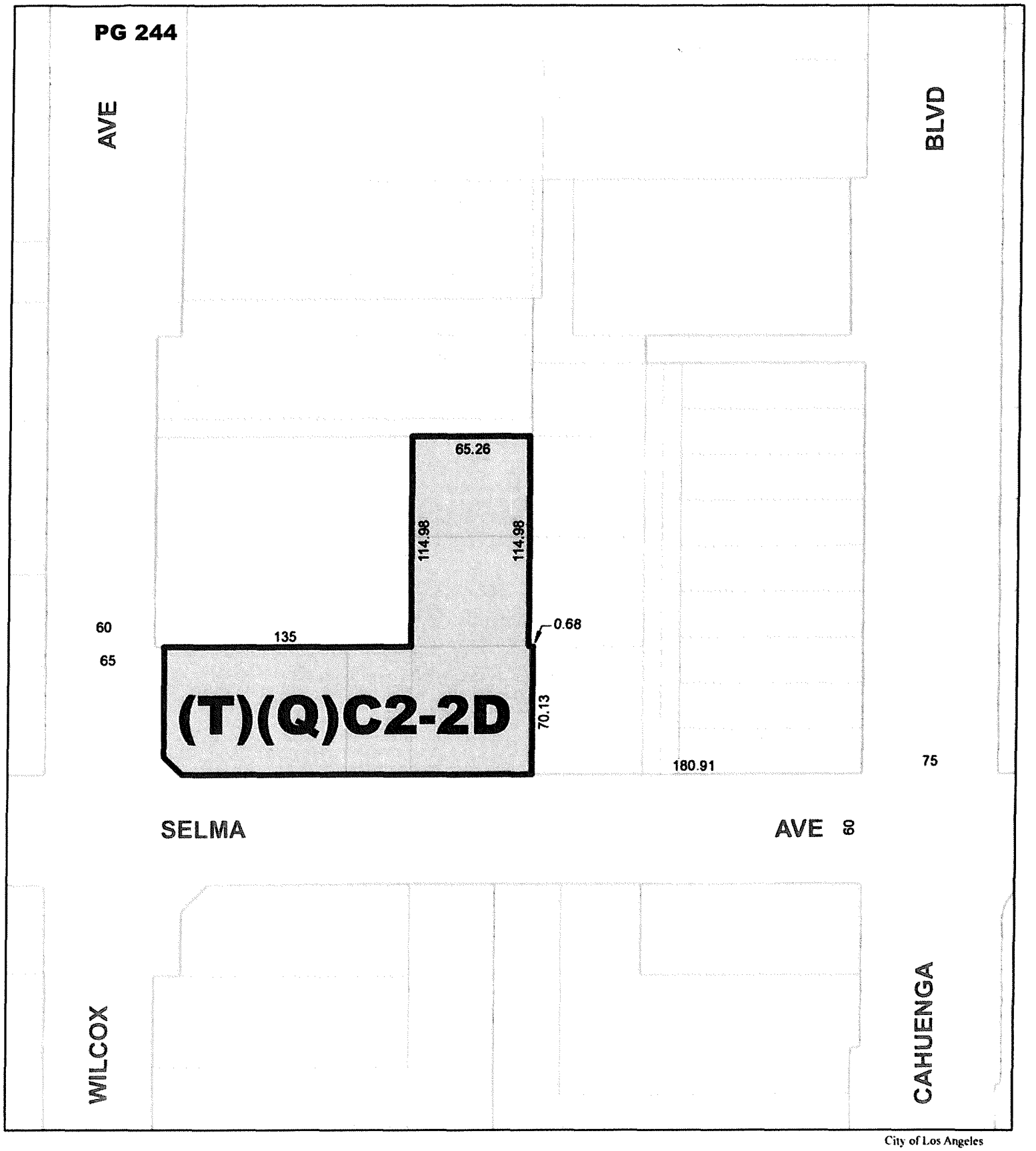
c: Nicholas Hendricks, Senior City Planner
May Sirinopwongsagon, City Planner

ORDINANCE NO. _____

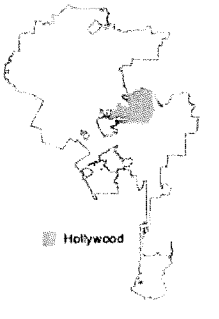
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:



City of Los Angeles



NORTH

0 30 60 120 Feet

CPC-2016-2601-VZC-HD-CUB-ZAA-SPR

MY/ of

072318

Data Sources: Department of City Planning & Bureau of Engineering

(Q) QUALIFIED CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

1. **Uses.** The uses on the subject property shall be limited to the C2 Zone, pursuant to LAMC Section 12.14, except that Automotive Uses shall be prohibited.

2. **Development.** The use and development of the subject property shall be in substantial conformance with the site plan, floor plan, elevations, and renderings labeled Exhibit "A" dated July 2, 2018. Minor deviations may be allowed in order to comply with provisions of the Municipal Code.

CONDITIONS FOR EFFECTUATING (T) TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) or [T] Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Dedications and Improvements. Prior to the issuance of any building permits, public improvements and dedications for streets and other rights-of-way adjoining the subject property shall be guaranteed to the satisfaction of the Bureau of Engineering, Department of Transportation, Fire Department (and other responsible City, regional, and Federal government agencies as may be necessary).

1. Responsibilities/Guarantees.

   a. As part of early consultation, plan review, and/or project permit review, the applicant/developer shall contact the responsible agencies to ensure that any necessary dedications and improvements are specifically acknowledged by the applicant/developer.

   b. Prior to the issuance of sign-offs for final site plan approval and/or project permits by the Department of City Planning, the applicant/developer shall provide written verification to the Department of City Planning from the responsible agency acknowledging the agency's consultation with the applicant/developer. The required dedications and improvements may necessitate redesign of the project. Any changes to the project design required by a public agency shall be documented in writing and submitted for review by the Department of City Planning.

2. Dedication(s) and Improvement(s).

   a. Dedication. A minimum 20-foot radius property line return or a 15-foot by 15-foot property line cut corner be dedicated at the intersections of Selma Avenue and Wilcox Avenue adjoining the site.

   b. Improvements. Improve Selma Avenue and Wilcox Avenue adjoining the site by the reconstruction of the existing concrete sidewalks to complete full-width concrete sidewalks including the corner radius cuts with tree wells including any necessary removal and reconstruction of the existing improvements satisfactory to the City Engineer.

3. Bureau of Street Services, Urban Forestry: Plant street trees and remove any existing trees within dedicated streets or proposed dedicated streets as required by the Urban Forestry Division of the Bureau of Street Services. All street tree plantings shall be brought up to current standards. When the City has previously been paid for tree plantings, the sub divider or contractor shall notify the Urban Forestry Division (213-847-3077) upon completion of construction to expedite tree planting.

   Note: All protected tree removals and removal of trees located within the public right-of-way must be approved by the Board of Public Works. Contact Urban Forestry Division at 213-847-3077

4. Bureau of Street Lighting: No street lighting improvements if no street widening per BOE improvement conditions. Otherwise relocate and upgrade street lights; one (1) on Wilcox Avenue.

5. Department of Transportation. Driveway Access and Circulation shall be reviewed and approved with Citywide Planning Coordination Section (201 North Figueroa Street, Room 550, at 213-482-7024). New driveways should be a Case 2 – designed with a recommended width of 30 feet for wo-way operations. Delivery truck loading and unloading should take place on site with no vehicles having to back into the project via the proposed project driveway, or as approved by the Department of Transportation and Department of Building and Safety.

6. Fire Department. Prior to the issuance of building permit, a plot plan shall be submitted to the Fire Department for approval.

Notice: If conditions dictate, connections to the public sewer system may be postponed until adequate capacity is available.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.) as required herein, are completed to the satisfaction of the City Engineer.

"D" DEVELOPMENT CONDITIONS

Pursuant to Section 12.32 G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "D" Development Limitations.

1. **Height.** The height of all buildings and structures, except for mechanical and other rooftop equipment, on the subject property shall not exceed 89 feet from the proposed grade, as shown in Exhibit "A" stamp dated July 2, 2018, excluding the parapet.

2. **Floor Area.** The total floor area of all buildings or structures located on a lot shall not exceed a Floor Area Ratio (FAR) of 3.7:1.

CONDITIONS OF APPROVAL

As modified by the City Planning Commission on July 12, 2018

Pursuant to Section 12.24-W,1, 12.28, and 16.05 of the Los Angeles Municipal Code, the following conditions are hereby imposed upon the use of the subject property:

A. Development Conditions:

1. **[Modified] Site Plan.** The use and development of the property shall be in substantial conformance with the illustrative site plan, floor plans, elevations, sections, and renderings labeled Exhibit "A", dated July 2, 2018, except as may be revised as a result of this action.

2. **[Added] Building Location.** Each level of the subterranean parking structure shall be located at the following depths, as identified on the stamped Exhibit A Section Sheet 01C:

   a. Level P1: -11'-5 ⅝"
   b. Level P2: -22'-6"
   c. Level P3: -33'-2 ¾"

   The configuration of Levels P2 and P3 shall be in substantial conformance with stamped Exhibit A Sheets 2 and 3 and shall not be expanded in area. Use of the areas within the subterranean structure shall be in substantial conformance with those identified on the stamped Exhibit A.

3. **[Added] Building Articulation**. The northerly and easterly elevations shall be revised to utilize façade articulation utilized on the southerly and westerly elevations to the satisfaction of the Director of Planning. The variation in brick articulation utilized on the westerly and southerly elevations shall be carried over to the northerly and easterly elevations, respectively.

4. **Density.** A maximum of 114 guest rooms may be permitted.

5. **Rooftop.**

   a. The covered bar and lounge area indicated on the roof plan stamped Exhibit "A", shall designed to be able to be fully enclosed with noise-attenuating features (physical as well as operational) by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.

   b. Prior to the issuance of a Certificate of Occupancy, the sound levels shall be measured consistent with the procedures in LAMC Section 111.02. Documentation of the measurements shall be submitted to the Department of City Planning for the file.

   c. A minimum six (6) foot high glass wall shall be installed around the perimeter of the rooftop deck, except where there is rooftop structure or other enclosed structure located at the perimeter of the building.

6. **Parking.**

   a. **[Modified]** Automobile parking spaces shall be provided pursuant to LAMC Section 12.21-A,4 and may be reduced utilizing bicycle parking replacement. Automobile parking may further be reduced by up to 20 percent, provided that the reduction is only applied to parking provided off-site.

Pursuant to Condition No 37, as part of the review of the effectiveness of, and compliance with the terms of this grant, the Zoning Administrator shall also assess the demand for parking. Upon review of evidence that there is a demand for the total number of Code required parking spaces, the Zoning Administrator may determine that the 20 percent reduction in parking is no longer granted and require that the applicant provide the total number of parking spaces required by LAMC Section 12.21-A,4.

b. **[Added]** Automobile parking spaces may be provided off-site, within 750 feet, and shall be provided in compliance with LAMC Section 12.21-A,4(g) and 12.26-E,5. The applicant shall submit a copy of the recorded covenant and any lease agreements to the Department of City Planning to be placed in the file.

c. Bicycle parking spaces shall be provided pursuant to LAMC Section 12.21-A,4 and 16, as effective on March 13, 2013.

d. **[Modified]** Electric Vehicle Parking. The Project will include at least 20 percent (20%) of the total code-required parking spaces capable of supporting future electric vehicle supply equipment (EVSE). Plans will indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design will be based upon Level 2 or greater EVSE at its maximum operating ampacity. Five percent (5%) of the total code required parking spaces will be further provided with EV chargers to immediately accommodate electric vehicles within the parking areas. When the application of either the required 20 percent or 5 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" will be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

7. **Drop off/Pick Up.**

a. If valet service is used a copy of the contract with the valet company shall be submitted to the Department of City Planning demonstrating that valet service is made available to customers/guests of the petitioner(s). If valet service is implemented the petitioner(s) will additionally be required to provide the Department of City Planning with information pertaining to the valet rates or cost of valet service as it relates to customers utilizing said service. The availability of valet parking/service shall be made known to the public via the restaurant menu or hotel brochure, a posting of the information on readily visible locations in the hotel lobby and the hotel restaurant and on any hotel or hotel restaurant website.

b. A drop off/pick up area may be designated off-site, within the area of the subject property's street frontage, for hotel guests and patrons of establishments on site.

c. The drop off/pick up areas shall be subject to the review and approval from the Department of Transportation. The approved plan shall be submitted to the Department of City Planning for the file.

8. **Landscaping/Hardscape.** Prior to the issuance of a building permit, a landscape and irrigation plan shall be submitted to the Department of City Planning for approval. The landscape plan shall be in substantial conformance with the landscape plan stamped Exhibit A.

a. Tree Wells.
   i. The minimum depth of tree wells located on a podium or rooftop shall be as follows:
      1. Minimum depth for trees shall be 42 inches
      2. Minimum depth for shrubs shall be 30 inches.
      3. Minimum depth for herbaceous plantings and ground cover shall be 18 inches.
      4. Minimum depth for an extensive green roof shall be 3 inches.

   ii. The minimum amount of soil volume for tree wells on a podium or rooftop shall be based on the size of the tree at maturity:
      1. 600 cubic feet for a small tree (less than 25 feet tall at maturity).
      2. 900 cubic feet for a medium tree (25-40 feet tall at maturity).
      3. 1,200 cubic feet for a large tree (more than 40 feet tall at maturity).

b. New trees planted within the public right-of-way shall be spaced not more than an average of 30 feet on center, unless otherwise required by the Urban Forestry Division, Bureau of Public Works.

c. A minimum three (3) foot wide landscape planter, with a minimum depth of 42 inches, shall be installed around the perimeter of the rooftop, except where there is rooftop structure or other enclosed structure located at the perimeter of the building.

9. **Irrigation.** The Project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by DWP in consultation with DCP.

10. **Solar Panels.** The project shall install the equivalent of 10 percent of the rooftop of the eight-story building or 595 square feet, whichever is greater, of solar panels as part of an operational photovoltaic system to be maintained for the life of the project. The 10 percent shall be calculated based on the area of the rooftop identified on the Rooftop Deck Floor Plan of the stamped Exhibit A dated July 2, 2018.

11. **Light.** Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above.

12. **Glare.** The exterior of the proposed structure shall be constructed of materials such as, but not limited to, high-performance and/or non-reflective tinted glass (no mirror-like tints or films) and pre-cast concrete or fabricated wall surfaces to minimize glare and reflected heat.

13. **Construction Generators.** The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices. On-site power generators shall either be plug-in electric or solar powered.

B. <u>Alcohol Related Conditions</u>:

14. Approved herein is the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with:

a. the operations of a 1,939 square-foot restaurant which may have a maximum of 100 seats (60 indoor and 40 outdoor seats). Outdoor seating located within the public right-of-way shall obtain a revocable permit prior to the issuance of a permit.;

b. the operations of a 114 guest room hotel within:

i. the hotel lobby bar, which may have a maximum of 48 seats;
ii. "mini-bars" located within the hotel guest rooms;
iii. the rooftop outdoor bar and lounge and covered lounge, with a maximum of 187 seats.

15. Hours of operation approved herein are as follows:

a. the 1,939 square-foot restaurant: 6:00 a.m. to 2:00 a.m., daily;

b. the hotel lobby bar: 6:00 a.m. to 2:00 a.m., daily;

c. the rooftop bar and lounge.

i. Outdoor patio areas: 7:00 a.m. to 12:00 a.m. (Midnight), daily

ii. Enclosed patio area: 7:00 a.m. to 12:00 a.m. (Midnight), daily, subject to the following:

When the enclosed bar and lounge doors or windows are open between 7:00 a.m. and 12:00 a.m., any music, sound, noise, or vibration shall not be audible or felt beyond that part of the premises which is under the control of the applicant.

The doors to the rooftop's covered bar and lounge area shall be closed whenever live entertainment, including DJs, and/or amplified music is played in the indoor area.

d. After-hour use of the facilities, other than routine clean-up and maintenance is not permitted.

16. Restaurant.

a. The 1,939 square-foot ground floor restaurant shall operate as a bona-fide restaurant, with its kitchen open for all hours of restaurant operations and food shall be available during all such hours. Customers of all ages shall be permitted during all hours of operations.

b. The exterior windows and glass doors of the hotel premises/ground floor restaurant and bar/lounge areas shall be maintained substantially free of signs and other materials from the ground to at least 6 feet in height above the ground so as to permit surveillance into the store by Police and private security.

17. Age Verification.

a. Electronic age verification device(s) shall be retained and installed on the premises at each point of sale location and available for use during operational hours. The device shall be maintained in an operational condition and all employees shall be instructed in its use prior to the sale of any alcoholic beverage.

b. Hotel Guest Room Mini-Bars. The hotel manager(s) shall require proof of identification and age for all registered guests at check-in. Rooms where the registered guest is under twenty-one years of age, or where the age of the guest cannot be determined, shall have their in-room liquor cabinet disabled and locked if any such lockers are provided in the room

18. Live Entertainment:

a. Restaurant. Live entertainment, amplified music, or ambient music may be permitted indoors within the 1,939 square-foot restaurant and the outdoor seating area.

b. Hotel.

i. Live entertainment, amplified music, or ambient music may be permitted within the within the hotel lobby and enclosed rooftop bar and lounge area.

ii. No live entertainment or amplified music shall be permitted in any patio or outdoor areas, including the outdoor rooftop patio or bar and lounge area. Ambient music may be permitted.

c. Live entertainment is subject to any required permits to be reviewed and approved by the Los Angeles Police Commission, as applicable. Live entertainment may include but not be limited to live bands, a DJ or karaoke, provided the latter is not conducted in private rooms.

d. Any ambient or amplified music, sound, vibration or noise emitted that is under the control of the petitioner(s) shall not be audible or otherwise perceivable beyond the subject premises. Any sound, vibration or noise emitted that is under the control of the petitioner which is discernible outside of the subject premises shall constitute a violation of Section 116.01 of the Los Angeles Municipal Code, including any loud, unnecessary or unusual noise that disturbs the peace and quiet of any neighborhood or that causes discomfort. The establishment will make an effort to control any unnecessary noise made by restaurant/hotel staff or any employees contracted by the restaurant or bar facilities located within the hotel facility, or any noise associated with the operation of the establishment, or equipment of the restaurants.

e. No Dance Hall or Hostess Dance Hall, as defined by LAMC Section 12.03, use shall be permitted without the approval of a Conditional Use Permit pursuant to LAMC Section 12.24 W,18. Patron Dancing is not permitted nor shall the Petitioner(s) accommodate or endorse dancing features in any fashion.

f. There shall be no pool table or billiards table, electronic games, coin-operated games, dart games, or video machines maintained upon the premises at any time.

19. A "Free Designated Driver Program" shall be implemented in which "FREE Non-Alcoholic Beverages" will be offered to the designated drivers: such as coffee, tea, or sodas approved by the Zoning Administrator. An explanation of the program shall be printed on the restaurant menus and/or made known to patrons via a two-sided card placed on all restaurant tables. Information pertaining to the "Designated Driver Program" shall additionally be detailed on the hotel website or page and/or any social media account dedicated to the hotel/hotel restaurant operations.

20. **[Modified]** Security. Between the hours of 8:00 p.m. and 2:30 a.m., the applicant shall provide a minimum of two (2) security guards in the ground floor hotel restaurant on Thursdays, Fridays and Saturdays.

    During the hours of 8:00 p.m. and 12:30 a.m., the applicant shall provide a minimum of two (2) security guards in the rooftop enclosed bar/lounge area and in the outdoor rooftop patio areas, Thursday, Fridays, and Saturdays.

    In addition to the security guard requirements delineated above, the applicant shall be required to provide a minimum of two (2) security guards on the premises during the all hours of hotel operation. The additional security employment required per this provision for the ground floor restaurant and bar/lounge areas as well as the rooftop bar/lounge area, will be employed in addition to and in enhancement of the three security guards who are mandated to be employed on the hotel premises during all hours of operation.

    The security guards shall not have any other activities other than those that are security related. Security personnel shall be licensed consistent with State law and Los Angeles Police Commission standards and maintain an active American Red Cross first-aid card. The security personnel shall be dressed in such a manner as to be readily identifiable to patrons and law enforcement personnel.

21. Admission and Third Party Promoters.

    a. The applicant/operator shall not require an admission or cover charge. Any advertising of an admission charge or cover is prohibited.

    b. The applicant shall not sublet the premises to outside "promoters" for nightclub or concert activity. Private parties hosted by the hotel or future operators of the ground floor dining area and rooftop bar/lounge, in which general public are excluded from the entire ground floor bar, lounge, outdoor courtyard and dining areas or the entire rooftop area are permitted provided that an appropriate one-day permit is submitted for approval to LAPD and ABC.

    c. The facility shall not be leased or contracted out to third party promoters that will require a cover charge or prepayment for admission to the facility for uses such as or similar to rave parties, electronic music parties, or record release parties advertised and open to the general public.

    d. At no time shall any form of membership card or compensation be a pre-requisite for admission to the facility at large unless the applicant is featuring a special event which has received prior written approval from the Hollywood Vice Office to commence in conjunction with the operation of the subject premises.

22. There shall be no Adult Entertainment of any type pursuant to Section 12.70 of the LAMC. Any proposed Adult Entertainment shall be subject to the requirements of Section 12. 70 and require the filing of the appropriate application.

23. Partitions separating booth/dining areas in the ground floor and rooftop restaurants and bar/lounge areas shall not exceed 54 inches in height. No obstructions shall be attached, fastened or connected to the booth/dining areas within the interior space for the facility that restrict, limit, or obstruct the clear observation of the occupants.

24. No employee or agent shall be permitted to accept money or any other thing of value from a customer for the purpose of sitting or otherwise spending time with customers while in

the premises, nor shall the licenses provide, permit, or make available either gratuitously or for compensation, male or female patrons who act as escorts, companions, or guests of and for the customers.

25. No loitering on the premises, public way adjacent to the premises, or property adjacent to the premises over which the applicant has control.

26. The applicant shall be responsible for maintaining free of litter, the premises and the area adjacent to the premises over which they have control. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the Petitioner(s) shall be removed or painted over within 24 hours of being applied.

27. Within six months of the date of this determination and within six months of hire, all personnel acting in the capacity of a manager of the premise and all personnel who serve alcoholic beverages shall attend Standardized Training for Alcohol Retailers (STAR) session sponsored by the Los Angeles Police Department. All employees who serve alcoholic beverages shall attend follow-up STAR classes every 24 months. Upon completion of the training, the applicant shall provide evidence to the Zoning Administrator that such training was provided.

28. The applicant / hotel operator / restaurant operator shall identify a contact person and provide a 24-hour "hot line" telephone number for any inquiries or complaints from the community regarding the subject facility. Prior to the utilization of this grant, the phone number shall be posted on the site so that is readily visible to any interested party. The hot line shall be:

    a. Posted at the entry, and the cashier or customer service desk,

    b. Provided to the immediate neighbors, schools, and the Neighborhood Council, and

    c. Responded to within 24-hours of any complains/inquires received on this hotline.

29. Petitioner(s) shall install and maintain security cameras and a three-month DVR/video library that covers all common areas of the business, high-risk areas, sidewalk areas, and entrances or exits. The DVRs shall be made available as required by law.

30. If at any time during the period of the grant, should documented evidence be submitted showing continued violation(s) of any condition(s) of the grant, resulting in a disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Director's designee shall have the right to require the applicant to file a plan approval application together with the associated fees and to hold a public hearing to review the applicant's compliance with, and effectiveness of, the conditions of the grant. The applicant shall be required to submit a summary and supporting documentation demonstrating how compliance with each condition of the grant has been attained. Upon review, the Director's Designee may modify, add or delete conditions and reserves the right to conduct the public hearing for nuisance abatement revocation purposes if so warranted by documentation.

31. The approved conditions shall be retained on the premises at all times and produced upon request of the Police Department, the Department of Building and Safety or City Planning. All licenses, permits and conditions shall be posted in a conspicuous location at the facility. Additionally, copies of the ABC operating conditions and conditional use permit conditions shall be provided to all employees working in the facility. Establishment employees are required to be knowledgeable of the establishment operating conditions and shall sign a

document acknowledging that they have read and understood all of the ABC and conditional use permit conditions. Said acknowledgment form(s) shall be maintained at the location by the operator and/or manager who shall present the document(s) to Police Department personnel, ABC Investigators or any other City agency upon request.

32. Petitioner(s) shall maintain on the premises and present upon request to any law enforcement officer, a copy of the Business Permit, Insurance information and a valid emergency contact phone number for the Security Company service(s), Valet Company service(s), and the property owner.

33. Smoking tobacco or any non-tobacco substance, including from electronic smoking devices, is prohibited in or within 10 feet of the outdoor dining areas in accordance with Los Angeles Municipal Code Section 41.50 B 2 C. This prohibition applies to all outdoor areas of the establishment if the outdoor area is used in conjunction with food service and/or the consumption, dispensing or sale of alcoholic or non-alcoholic beverages.

34. The applicant shall comply with 6404.5(b) of the Labor Code, which prohibits smoking within any place of employment. The applicant shall not possess ashtrays or other receptacles used for the purpose of collecting trash or cigarettes/cigar butts within the interior of the subject establishment.

35. The business operator and/or the operator's agents shall comply with California Labor Code Section 6404.5(c) which prohibits the smoking of tobacco or any non-tobacco substance, including from electronic smoking devices, within any place of employment.

36. **Prior to the beginning of operations**, the manager of the facility shall be made aware of the conditions and shall inform his/her employees of the same. A statement with the signature, printed name, position and date signed by the manager and his/her employees shall be provided to the Department of City Planning. The statement shall state,

    We, the undersigned, have read and understood the conditions of approval to allow the sale and dispensing of a full line of alcoholic beverages for off-site consumption, in conjunction with the retail store, known as [OPERATION NAME], and agree to abide and comply with said conditions.

    A copy of the conditions of this letter of determination, business permit and insurance information shall be retained on the premises at all times and produced upon request by the Police Department, the Department of Building and Safety or the State Department of Alcoholic Beverage Control.

37. **[Added] Plan Approval**. The applicant shall file a Plan Approval application twenty-four (24) months from the operational date of this determination. The operational date of this determination shall be identified and confirmed by the Department of City Planning. The Plan Approval application shall be subject to filing fees established by the Los Angeles Municipal Code Section 19.01-E. A public hearing shall be conducted subject to notification requirements established by the Los Angeles Municipal Code Section 12.24-D. The purpose of the Plan Approval is to review the effectiveness of, and compliance with the express terms of this grant, including but not limited to the approval of a 20 percent reduction in parking pursuant to LAMC Section 12.24 S. The applicant shall provide documentation which reflect the parking demands of the operation of the hotel and restaurants. Upon review of the effectiveness of and compliance with the conditions, the Zoning Administrator may modify such conditions, delete, or add new ones as appropriate and require a subsequent plan approval, as necessary, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.

38. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

39. The applicant(s) shall provide the Zoning Administrator a copy of each license, suspension thereof, or citation issued by the State Department of Alcoholic Beverage Control or the Los Angeles Police Department upon such instance.

40. **MViP – Monitoring, Verification and Inspection Program**. At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

41. Within 30 days of the effective date of the Department of Alcoholic Beverage Control license, and within 30 days of the effective date of any modification or alteration of terms of said license, the applicant shall transmit a copy of the valid Department of Alcoholic Beverage Control license to the Department of City Planning for attachment to the case file.

C. Environmental Conditions:

42. **Public Services (Police – Demolition/Construction Sites).** Temporary construction fencing shall be placed along the periphery of the active construction areas to screen as much of the construction activity from view at the hotel street level and to keep unpermitted persons from entering the construction area.

43. **Public Services (Police).**

    a. The plans shall incorporate a design that references the "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", published by the LAPD. These measures shall be approved by the LAPD prior to the issuance of building permits.

    b. Public Services (Police). Upon completion of the Project, the LAPD Hollywood Area commanding officer shall be provided with a diagram of each portion of the property. The diagram shall include access routes and any additional information that might facilitate police response.

44. **Construction Traffic Control/Management Plan.** A construction work site traffic control plan shall be submitted to DOT for review and approval prior to the start of any construction work. The plan should show the location of any roadway or sidewalk closures, traffic detours, haul routes, hours of operation, protective devices, warning signs and access to abutting properties. All construction-related traffic shall be restricted to off-peak hours.

45. **Transportation Demand Management and Monitoring Program.**

a. The Applicant shall prepare and submit a preliminary Transportation Demand Management Plan (TDM) to the Department of Transportation prior to the issuance of the first building permit for the Project. A final TDM shall be submitted and approved by the Department of Transportation prior to the issuance of the first certificate of occupancy for the project.

The TDM shall include strategies, as determined to be appropriate by the Department of Transportation, which would have a minimum ten (10) percent effectiveness in reducing new vehicle trips.

In the event that the Project would provide twenty (20) or more required parking spaces off-site, the TDM shall demonstrate a minimum twenty (20) percent effectiveness in reducing new vehicle trips.

b. In the event that the Project would provide twenty (20) or more parking spaces off- site and is required to implement a TDM which has a minimum twenty (20) percent effectiveness in reducing the total net project trips, a Monitoring Program (MP) shall be prepared to provide continued monitoring of the TDP's effectiveness. The MP shall be prepared by a licensed Traffic Engineer and submitted to the Department of Transportation for review. The MP shall continue until such time that the Project has shown, for three consecutive years, at a minimum of 85 percent occupancy, achievement of the peak hour trip volume requirements listed. Should the review show that the peak hour trip cap threshold has been exceeded the Project shall have one year to attain compliance or be subject to a penalty program.

Implementation of the TDM shall be at the Project's expense.

Strategies may include, but shall not be limited to, the following:

1. Provide guest assistance on arrival and departure to find options to personal or rented vehicles to access the site.

2. If found feasible by LADOT and Metro, improve the existing bus stop on the north side of Hollywood Boulevard east of Wilcox Avenue where there is an existing sign, bench and trash receptacle with a weather protected cover. Improve the bus stop on the south side of Hollywood Boulevard west of Cahuenga Boulevard where a bus sign only with a bench, trash receptacle, weather protected cover and bench. Improve the bus stop on the north side of Sunset Boulevard west of Wilcox Avenue where a bus sign, a bench, and trash receptacle with a weather protected cover;

3. Provide a visible on-site kiosk with options for ridesharing, bus routes and bike routes in a prominent area(s) in view for hotel guests, employees and patrons of the restaurants;

4. Provide information for guests of the hotel upon check in that includes the transit, bike routes, and nearby walking opportunities as options to use rather than person vehicles;

5. Provide an on-site TDM manager to assist hotel guests navigate the alternative modes of transportation options, in matching rideshare partners for the employees, determining transit routes for employees, and promoting TDM program;

6. Provide access pass and transit pass reductions for employees;

7. Provide bicycle spaces to encourage cycling as an alternative to single occupant vehicles;

8. Provide bicycle sharing service for guests and employees use;

9. Provide amenities to encourage guests of the hotel spend some of their time eating, relaxing and recreating on-site.

46. **Transportation (Pedestrian Safety).** The developer and contractors shall maintain ongoing contact with administrator of Selma Elementary School. The administrative offices shall be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. The developer shall obtain school walk and bus routes to the schools from either the administrators or from the LAUSD's Transportation Branch (213)580-2950 or (213)580-2900 and guarantee that safe and convenient pedestrian and bus routes to the school be maintained.

D. Administrative Conditions

47. **Approvals, Verification and Submittals**. Copies of any approvals, guarantees or verification of consultations, reviews or approval, plans, etc, as may be required by the subject conditions, shall be provided to the Department of City Planning for placement in the subject file.

48. **Code Compliance.** All area, height and use regulations of the zone classification of the subject property shall be complied with, except wherein these conditions explicitly allow otherwise.

49. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Department of City Planning for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Department of City Planning for attachment to the file.

50. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public offices, legislation or their successors, designees or amendment to any legislation.

51. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Department of City Planning and any designated agency, or

the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

52. **Building Plans.** A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

53. **Corrective Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the City Planning Commission, or the Director pursuant to Section 12.27.1 of the Municipal Code, to impose additional corrective conditions, if, in the Commission's or Director's opinion, such conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

54. **Expedited Processing Section.** Prior to the clearance of any conditions, the applicant shall show proof that all fees have been paid to the Department of City Planning, Expedited Processing Section.

55. **INDEMNIFICATION AND REIMBURSEMENT OF LITIGATION COSTS.**

Applicant shall do all of the following:

a. Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

b. Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages and/or settlement costs.

c. Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (b).

d. Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement. (b)

e. If the City determines it necessary to protect the City's interests, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commission, committees, employees and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

NOTE TO THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC)

CONDITIONS IDENTIFIED FOR CONSIDERATION BY THE STATE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL RELATIVE TO THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES

In approving the instant grants, the City Planning Commission has not imposed Conditions specific to the sale or distribution of alcoholic beverages, even if such Conditions have been volunteered or negotiated by the applicant, in that the City Planning Commission has no direct authority to regulate or enforce Conditions assigned to alcohol sales or distribution.

The City Planning Commission has identified a set of Conditions related to alcohol sales and distribution for further consideration by the State of California Department of Alcoholic Beverage Control (ABC). In identifying these conditions, the City Planning Commission acknowledges the ABC as the responsible agency for establishing and enforcing Conditions specific to alcohol sales and distribution. The Conditions identified below are based on testimony and/or other evidence established in the administrative record, and provide the ABC an opportunity to address the specific conduct of alcohol sales and distribution in association with the Conditional Use granted herein by the City Planning Commission.

They may include those identified during hearing testimony, received as part of correspondence via stakeholder groups, city agency, other responsible agency, Council District, Mayor's office, etc.)

- There shall be no exterior advertising of any kind or type, including advertising directly to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
- No signs are permitted on the outside of the building or directed from the inside to the outside which display or advertise the availability of alcoholic beverages.
- The sale of alcoholic beverages for consumption off the premises is prohibited.
- The off-site sale of alcoholic beverages as a secondary use (i.e., "take out") is not permitted.
- All service of alcoholic beverages shall be conducted by a wait person or bartender.
- The alcoholic beverage license for the restaurant shall not be exchanged for a public premises type license nor operated as a public premises.
- There shall be no service, sales or possession of an alcoholic beverage on any abutting private property area not under the immediate control of the applicant/facility operator with the exception of the approved patio/outdoor dining areas.
- Bottle and/or Table service involving the distribution of distilled spirits shall be prohibited during regular restaurant/hotel operations and is only permitted during special events that have been authorized by the Los Angeles Police Department. "Buckets" of beer and portable bars are prohibited. There shall be no "Minimum drink" required of patrons. In addition, there shall be NO sales of table(s) and/or seating where alcoholic beverages are in any way included in the sale cost of the seating. The sale of poolside cabanas and lounge chairs may be permitted in conjunction with the restrictions set forth above related to alcohol sales.
- "Happy Hour" is permitted between the hours of 4:00 pm and 8:00 pm, daily. There may be no more than a fifty percent discount on alcoholic beverages.
- The quarterly gross sales of food shall not exceed the gross sales of alcohol. The business operator shall maintain records which reflect these numbers and make them available to the Police Department of the California State Department of Alcoholic Beverage Control upon request.

FINDINGS

General Plan/Charter Findings (Charter Section 556)

1. **General Plan Land Use Designation.** The Project Site is located within the Hollywood Community Plan, adopted by the City Council on December 13, 1988. The site has a land use designation of Regional Center Commercial, as designated on the plan map. The Regional Center Commercial land use designation lists the following corresponding zones: C2, C4, P, PB, RAS3, and RAS4. The site is currently zoned C4-2D and is subject to the Development "D" Limitations contained within Ordinance No. 165,660, adopted in 1990. The Community Plan indicates within the footnotes that development intensity is limited to 4.5:1 FAR and a maximum of 6:1 FAR with the approval from City Planning Commission. Additionally, the Framework Element characterizes designated Regional Centers as having a range of FARs from 1.5:1 to 6:1. The proposed Project will have a maximum 3.7:1 FAR. The recommended Vesting Zone and Height District Change would permit commercial uses that are consistent with the established entertainment district and encourage the future growth of the Hollywood Center.

2. **General Plan Text.** The Hollywood Community Plan text includes the following relevant objectives:

   Objective 1: To coordinate the development of Hollywood with that of other parts of the City of Los Angeles and the metropolitan area. To further the development of Hollywood as a major center of population, employment, retail services, and entertainment; and to perpetuate its image as the international center of the motion picture industry.

   Objective 4: To promote economic well-being and public convenience through:

   a. Allocating and distributing commercial lands for retail, service, and office facilities in quantities and patterns based on accepted planning principles and standards.

   Policy: The focal point of the Community is the Hollywood Center, located generally on both sides of Hollywood and Sunset Boulevards between La Brea and Gower Street. The Hollywood Center is included in the Hollywood Redevelopment Project area as adopted in May 1986. This center area shall function 1) as the commercial center for Hollywood and surrounding communities and 2) as an entertainment center for the entire region. Future development should be compatible with existing commercial and development, surrounding residential neighborhoods, and the transportation and circulation system. Developments combining residential and commercial uses are especially encouraged in this Center area.

   The Project Site is located within the Hollywood Center, which is an established commercially developed, entertainment center. The proposed Project would develop the underdeveloped and underutilized site, with a new eight-story building. The site is currently developed with a one-story building and a partially constructed, three-level, subterranean parking structure on the northeastern portion of the site. The Project would maintain the existing building, complete construction of the subterranean structure on the western portion of the site, and construct an eight-story building which would be located primarily on the western portion of the site. A portion of the building would be constructed over the existing building along Selma Avenue. The existing building will continue to operate as a bona-fide restaurant and the proposed building would include a new ground floor restaurant and a 114 guest room hotel. As the Project Site is an L-shaped site located within a built urban environment, developing the site vertically has allowed for a more efficient use of the site

and permitted floor area. However, the existing C4 zone would limit the ability to utilize the site for certain commercial uses, whether services or amenities, that are compatible with the present and future development of the Hollywood Center. Uses, such as outdoor eating or dining, would be limited to the ground floor and entertainment related commercial uses are generally limited. The recommended C2 Zone would permit commercial uses that are compatible with the Hollywood Center and would promote the future development and improvement of the area. The recommended Height District Change would modify the existing D Limitations to permit a maximum FAR of 3.7:1 and would ensure that the development of the site is physically compatible with the existing and future development of the Hollywood Center.

3. **Framework Element.** The Framework Element for the General Plan (Framework Element) was adopted by the City of Los Angeles in December 1996 and re-adopted in August 2001. The Framework Element provides guidance regarding policy issues for the entire City of Los Angeles, including the Project Site. The Framework Element also sets forth a Citywide comprehensive long-range growth strategy and defines Citywide polices regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework Element includes the following provisions, objectives and policies relevant to the instant request:

Regional Centers

GOAL 3F: Mixed-use centers that provide jobs, entertainment, culture, and serve the region.

> Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

The Framework Element describes Regional Centers as having a range of FARs from 1:5:1 to 6:1, with buildings characterized by 6- to 20-stories (or higher). And are usually major transportation hubs. The Project proposes to develop the site with an eight-story building with three levels of subterranean parking. The building would have a total floor area of 79,878 net square feet, or a 3.7:1 FAR. As proposed the Project is consistent with the anticipated development of Regional Centers. The proposed 114 guest room hotel would provide an additional service and amenity in an area that is highly visited by tourist and business travelers. The site is located a block south of Hollywood Boulevard which is serviced by a number of bus lines as well as the Metro Red Line. The site is located between the Metro Red Line Hollywood/Cahuenga and Hollywood/Vine stations. The proximity to public transit would provide alternative transportation options for hotel guest to visit other regions. Additionally, the proposed restaurant and hotel lobby bar and rooftop bar and lounge provides an additional amenity for visitors to area. The establishment of the hotel, bar, lounges, and dining areas would also provide an increase in employment opportunities than the previously existing one-story commercial development. As such, the Project would meet the goals and objectives of the Framework Element to encourage the future development of the designated regional center and enhancement of the urban lifestyle.

4. **The Mobility Element.** The Project Site is located one block south of Hollywood Boulevard, which is serviced by the Metro Red Line, which began operating in stages between 1993 and 2000. The site is located to the west of the Hollywood/Highland stop and to the east of the Hollywood/Vine stop. In addition to the Metro Red Line, the site is serviced by a number of bus lines which operate along Hollywood Boulevard, Sunset Boulevard, and Highland Avenue. The Mobility Element (Mobility Plan 2035) of the General Plan is not likely to be affected by the recommended action herein. Selma Avenue is a designated Local Street –

Standard, dedicated to a width of 60 feet and is improved with curb, gutter, and sidewalk. Wilcox Avenue is a designated Modified Avenue III, dedicated to a width of 65 feet at the Project Site's frontage and is improved with roadway, curb, gutter, and sidewalk. The Project has been conditioned to require compliance with dedication and improvement required by the Bureau of Engineering, which would be consistent with the Mobility Element. In addition to establishing Street Standards, the Mobility Element encourages "the adoption of low and zero emission fuel sources, new mobility technologies, and supporting infrastructure" (Policy 5.4). The Project proposes to provide the required number of automobile parking spaces, while also utilizing reductions permitted by the Zoning Code, and from the City Planning Commission pursuant to LAMC Section 12.24 S. The Project has been conditioned to require that 20 percent of the required parking spaces are to be wired for the installation of future EV chargers, and that 5 percent of the required parking spaces are to be installed with EV chargers. As conditioned, the Project would be able to provide a service to local residents and employees in the area, while encouraging the use of low and zero emission fuel sources and the infrastructure to support it. Additionally, the Project would comply with existing Green Building codes, which were adopted to help facilitate the reduction of energy consumption.

5. **The Sewerage Facilities Element** of the General Plan will not be affected by the recommended action. While the sewer system might be able to accommodate the total flows for the proposed project, further detailed gauging and evaluation may be needed as part of the permit process to identify a specific sewer connection point. If the public sewer has insufficient capacity then the developer will be required to build sewer lines to a point in the sewer system with sufficient capacity. A final approval for sewer capacity and connection permit will be made at that time. Ultimately, this sewage flow will be conveyed to the Hyperion Treatment Plant, which has sufficient capacity for the project.

6. **Health and Wellness Element and Air Quality Element.** Policy 5.1 and 5.7 of the Plan for a Healthy LA, the Health and Wellness Element, and Policy 4.2.3 of the Air Quality Element are policy initiatives related to the reduction of air pollution and greenhouse gases. As conditioned herein, the Project would be required to provide parking spaces which would be equipped for the immediate installation and use of EV Charging Stations, as well as for future use. The Project has also been conditioned to install solar panels to an operating photovoltaic system. The installation and operation of the solar panels would help to reduce the site's dependence on fossil fuels and carbon generating public utility electrical power. Taken together, the conditions would provide for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and the City. As conditioned, the Project would be consistent with the aforementioned policies, as well as Policy 5.1.2 of the Air Quality Element, by ensuring that future developments are compatible with alternative fuel vehicles and shift to non-polluting sources of energy. The solar and EV conditions are also good zoning practice because they provide a convenient service amenity to the occupants or visitors who use electric vehicles and utilize electricity on site for other functions. As such, the Project provides service amenities to improve habitability for the patrons of the Project and to minimize impacts on neighboring properties.

Entitlement Findings

7. **Zone Change and Height District Change Findings (Charter 558 and LAMC 12.32).**

   a. **Pursuant to Section 12.32 C of the Municipal Code, and based on these findings, the recommended action is deemed consistent with public necessity, convenience, general welfare and good zoning practice.**

The Project Site is comprised of five parcels located at the northeast corner of Selma Avenue and Wilcox Avenue within the Hollywood Community Plan area. The site has 65 feet of frontage along the western side of Wilcox Avenue and approximately 200 feet of frontage along the northern side of Selma Avenue. The northeastern portion of the site extends 185 feet to the north, midblock between Wilcox Avenue and Cahuenga Boulevard. The site has a land use designation of Regional Center Commercial and is zoned C4-2D. The Regional Center Commercial land use designation lists the following corresponding zones: C2, C4, P, PB, RAS3, and RAS4. The recommended Vesting Zone and Height District Change to (T)(Q)C2-2D would be consistent with the land use designation.

Public Necessity, Convenience, and General Welfare. The vesting zone and height district change to (T)(Q)C2-2D would enable the development of the subject site with a proposed ground floor restaurant and a 114 guest room hotel, while maintaining the operations of the existing restaurant. The Project would complete the construction of the subterranean parking structure and construct a new eight-story building over the western portion of the site, resulting in a building with a 3.7:1 FAR. The ground floor of the building would consist of a 1,939 square-foot restaurant and the lobby of the proposed eight-story hotel. The northeastern portion of the site would remain developed with the one-story building and subterranean structure, with a portion of the proposed building being constructed over it along Selma Avenue. While the C4 Zone would permit commercial uses, the types of commercial uses are limited and contain restrictive development standards. A typical amenity of a use such as a restaurant or hotel is an outdoor eating area. In a built urban environment, where physical constraints require buildings to be built vertically, the ability to have this type of amenity in the C4 Zone would be limited as it is only permitted on the ground floor. The ability to use the rooftop, or any floor above the ground floor, for this type of amenity would allow for improved site design at every level of the Project.

The Project Site is located within the Hollywood Center, a designated Regional Center, which has become an established commercial and entertainment district. The area is frequently visited by tourist and business travelers in the City. The development of a hotel and restaurant uses would provide an alternative location for visitors to stay and dine within the Hollywood Area. Additionally, the site's proximity to regional transit stations would improve accessibility to commercial and employment centers. The inclusion of ground floor restaurants and the rooftop bar and lounge, would provide an additional amenity and service for hotel guest, as well as the existing residents and employees, and visitors in the area.

Good Zoning Practice. The Hollywood Community Plan is intended to serve a number of purposes, including to guide the development, betterment, and change of the Community to meet existing and anticipated needs and conditions; balance growth and stability; reflect economic potentials and limits, land development and other trends. As recommended, the vesting zone and height district change from C4-2D to (T)(Q)C2-2D would permit the development of a building with a floor area and height that is compatible with existing buildings, while permitting commercial uses that are consistent with the existing, and growing, commercial development in the Hollywood area. The Project Site is located one block to the south of Hollywood Boulevard and a block north of Sunset Boulevard. The site is partially developed with an existing restaurant on the northeastern portion of the site, is underdeveloped and underutilized when taken into consideration the proximity to public transportation and commercial district. The C2 Zone would permit additional commercial uses that are consistent with the existing entertainment district and the future growth of the district. While the C2 Zone would permit additional uses, the vesting zone change has been conditioned to prohibit uses which would not promote

the growth of the Hollywood Center as a commercial and entertainment center, as discussed in Finding No. 2. Future uses would be subject to the regulations of the zone, and would be required to obtain a conditional use, if applicable, prior to any change of use or authorization of a use. As such, uses which may be considered a nuisance for sensitive uses, such as residential development or schools, would be subject to discretionary review and conditioned appropriately if approved.

b. **Pursuant to Section 12.32-G and Q of the Municipal Code "T" and "Q" Classification Findings.** The current action, as recommended, has been made contingent upon compliance with new "T" and "Q" conditions of approval imposed herein for the proposed project. The "T" Conditions are necessary to ensure the identified dedications, improvements, and actions are undertaken to meet the public's needs, convenience, and general welfare served by the actions required. These actions and improvements will provide the necessary infrastructure to serve the proposed community at this site. The "Q" conditions that limits the scale and scope of future development on the site are also necessary to protect the best interests of and to assure a development more compatible with surrounding properties and the overall pattern of development in the community, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

c. **Pursuant to Section 12.32-G,4(b) of the Municipal Code, D Limitation Findings. In establishing D limitations, the Council shall find that any or all the limitations are necessary: (1) to protect the best interest of and assure a development more compatible with the surrounding property or neighborhood, and (2) to secure an appropriate development in harmony with the objectives of the General Plan, or (3) to prevent or mitigate potential adverse environmental effects of the Height District establishment or change.** The Project Site is currently zoned C4-2D and is subject to the D Limitations contained within Ordinance No. 165,660. The D Limitations limits the total floor area on a site to a 2:1 FAR. Additional floor area may be granted, up to 4.5:1, but no greater than 6:1, FAR; however, the additional floor area would have to be approved by the City Planning Commission and/or CRA/LA. The limitation is consistent with Footnote No. 9 of the Community Plan. Pursuant to the Zoning Code, Height District 2 permits a maximum 6:1 FAR, with no limitation on the height of the building in the recommended C2 Zone. The recommended D Limitation would limit the total FAR to 3.7:1, with a maximum height of 89 feet. Without the limitation, due to the site's physical constraints, the maximum 6:1 FAR would lead to a building which would be taller and incompatible with the surrounding properties. The limitation would ensure that the proposed development is physically compatible with the surrounding properties, which range from one to ten stories. The proposed limitations would permit the development of the project, as described in Finding Nos. 2 and 6.a, which would promote the objectives of the Hollywood Community Plan. As such the D Limitations would protect the best interest of and assure a development that is more compatible with the surrounding property or neighborhood and secure an appropriate development in harmony with the objectives of the General Plan.

8. **Conditional Use Findings.**

a. **That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.**

The applicant is requesting a Conditional Use to permit the sale and dispensing of a full line of alcoholic beverages in conjunction within a proposed 1,939 square-foot ground

floor restaurant and within three locations of the proposed hotel. The proposed restaurant would have 60 indoor seats and 40 outdoor seats. Within the hotel, alcohol sales and consumption is proposed within the hotel lobby, "mini-bars" within the 114 guest rooms, and the rooftop bar and lounge area. The proposed restaurant and hotel would be developed primarily on the western portion of the L-shaped site located at the northeast corner of Selma Avenue and Wilcox Avenue. The northeastern portion of the site would remain developed with the existing restaurant, which was previously approved a Conditional Use, Case No. ZA-2015-2671-CUB, by the Zoning Administrator in 2016.

The site is located one block south of Hollywood Boulevard and one block north of Sunset Boulevard. The Project Site is located within a dense, urban environment, one block south of the Hollywood Boulevard Entertainment District. The surrounding areas are developed with residential uses, hotels, restaurants, and various retail and commercial uses. The proposed restaurant would provide an alternative service amenity in an area which is not only a vibrant international destination, but is developed with a number of businesses and residences. The proposed restaurant is anticipated to operate as a bona-fide restaurant with the proposed sale of alcoholic beverages anticipated to be incidental to food service. The proposed hotel will serve to provide temporary residency for tourist and business travelers within close proximity to commercial and employment centers, as well as regional servicing public transit. The request to sell alcoholic beverages within "minibars" is intended to serve as an amenity for hotel guest, accessory to the operations of the hotel. The proposed lobby bar and rooftop bar and lounge would serve hotel guests, as well as the general public. The sale and dispensing of alcoholic beverages is anticipated to be an incidental amenity for patrons of the operations. The operations of the proposed restaurant, hotel lobby bar and rooftop bar and lounge will provide an additional amenity for those who are employed or visiting the Hollywood area.

b. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare, and safety.

The Project Site is located within the Hollywood Community Plan and is located approximately one block south of the Hollywood Entertainment District. The site is presently developed with a restaurant and partially constructed parking structure on the northeastern portion of the site. The Project would complete construction of the subterranean parking structure in the excavated area on the western portion of the site and construct a new eight-story building. As proposed, the subterranean parking structure would accommodate up to 52 parking spaces. The Project proposes to provide up to 37 parking spaces off-site at 1541 North Wilcox Avenue. Parking on- and off-site would be serviced by valet, with a drop off/pick up area proposed along Selma Avenue and Wilcox Avenue. As previously discussed, the site is located within close proximity to the Metro Red Line and other forms of public transit. It is anticipated that patrons and guests of the Project would utilize public transit or other forms of ride-share services that would not require the parking of vehicles at the site or within the off-site parking location. As such, pursuant to LAMC Section 12.24 S, the required number of spaces may be further reduced by 20 percent provided that the reduction occurs with the parking provided off-site.

The proposed building would include a 1,939 square-foot ground floor restaurant and a 114 guest room hotel with rooftop amenities such as a pool and rooftop bar and lounge area. As designed and conditioned, a minimum six-foot high glass wall would be installed

along the perimeter of the rooftop area. The proposed restaurant and hotel will be located within close proximity to Hollywood Boulevard, which is a developed with commercial and entertainment uses. However, there are existing multi-family developments within the area as well. The proposed operations of the rooftop and outdoor operations have been conditioned to limit live entertainment and amplified music, as well as the hours of operations of the outdoor areas. The conditions related to live entertainment, amplified and ambient music, and hours of operation, which were reviewed and recommended by the Los Angeles Police Department (LAPD), would prevent late night noise, ensuring that its operations will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The Project Site is located within the Hollywood Community Plan with a land use designation of Regional Center Commercial. The site is not located within a specific plan. The site is presently developed as a one-story commercial building and partially constructed subterranean parking structure on the northeastern portion of the site. The recommended vesting zone change to (T)(Q)C2-2D would permit the construction of an approximately 89-foot tall, eight-story commercial building. The building would maintain the existing restaurant located on the northeastern portion of the site, and proposes a new 1,939 square-foot restaurant on the western corner of the site. The two restaurants would be separated by the lobby of the proposed 114 guest room hotel. As discussed in Finding No. 2, the Project would redevelop an underutilized site with uses that are compatible with the existing development in the surrounding area and would be in conformance with the objectives and policies of the Community Plan. The sale of a full line of alcoholic beverages in conjunction with the operations of the proposed restaurant and hotel, would be an added amenity for guests and patrons of the Project.

Additionally, the Project has been conditioned to require parking spaces to be constructed for the immediate installation and use of EV Chargers, as well as for future use, and for the installation of solar panels to an operating photovoltaic system. As such, the project is in substantial conformance with the General Plan and the Community Plan.

d. Additional required findings for the sale of alcoholic beverages:

i. The proposed use will not adversely affect the welfare of the pertinent community.

The Project proposes to develop the site with a new commercial building which would maintain the existing restaurant, and proposes to construct a new ground floor restaurant and an eight-story, 114 guest room hotel. The proposed restaurant is anticipated to operate as a bona-fide restaurant and the sale and dispensing of alcoholic beverages incidental to food service is a common amenity found with the operations of a restaurant. The proposed hotel would include rooftop amenities including a bar and lounge area, which would be partially covered. The request to serve alcoholic beverages within the guest rooms and as an incidental service within the lobby bar and rooftop bar and lounge is a common amenity that is found with the operations of a hotel. The Project Site is located within close proximity to Hollywood Boulevard, which is a commercially developed entertainment district. The proposed restaurant and hotel will be compatible with the range of commercial uses such as restaurants, nightclubs, theaters, retail, and other hotels. As conditioned, the proposed restaurant and hotel operations as it relates to the sale and dispensing of

alcoholic beverages have been conditioned as to not adversely affect the welfare of the pertinent community.

ii. **The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.**

According to the California State Department of Alcoholic Beverage Control licensing criteria, there are 3 on-site and 2 off-site licenses allocated to the subject Census Tract Number 1907.00, based on a population of 3,379. Within 1,000 feet of the subject site, there are currently 62 active licenses, including 59 on-site and 3 off-site licenses.

The number of existing on-site licenses within the census tract where the subject site is located exceeds ABC guidelines. Concentration can be undue when the addition of a license will negatively impact a neighborhood. Concentration is not undue when the approval of a license does not negatively impact an area, but rather such a license benefits the public welfare and convenience. The site is located within the Hollywood Community Plan and is located approximately one block south of the Hollywood Entertainment District. The area is developed with a diverse range of commercial uses, which include restaurants, theaters, and retail uses. In active commercial areas where there is a demand for licenses beyond the allocated number, the Department of Alcoholic Beverage Control (ABC) has recognized that high activity retail and commercial centers are supported by a significant and growing employee, visitor, and resident population in the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to the public welfare and will not interfere with the quiet enjoyment of property by residents in the area. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring responsible management and deterrents against loitering. As proposed by the submitted application and conditioned herein by the City, the requested application will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. These conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcoholic beverages in conjunction with the proposed restaurant and the hotel for on-site consumption is not undue or anticipated to create a law enforcement issue. Consequently this approval will not result in an undue concentration of premises selling and dispensing of a full line of alcoholic beverages.

According to statistics provided by the Los Angeles Police Department's Hollywood Vice Unit, within Crime Reporting District No. 646 which has jurisdiction over the subject property, a total of 1,777 crimes were reported in 2017 (662 Part I and 1,115 Part II crimes), compared to the Citywide Average of 191 crimes for the and the High Crime Reporting District Average of 229 crimes. Alcohol related Part II Crimes reported include Narcotics (167), Liquor Laws (58), Public Drunkenness (27), Disturbing the Peace (2), Disorderly Conduct (159), Gambling (2), DUI related (29),

and other offenses (269). These numbers do not reflect the total number of arrests in the subject reporting district over the accountable year. Arrests for this calendar year may reflect crimes reported in previous years.

Although the site is located within a crime reporting district where the crime rate is higher than the area wide average, no evidence or communications were received indicating that the location of the proposed restaurant and hotel has been the subject of criminal or nuisance activity. On March 24, 2018, LAPD Hollywood Vice submitted a list of proposed operating conditions for the proposed restaurant and hotel as it relates to the sale and dispensing of alcoholic beverages. These proposed operating conditions are included herein, thus, the approval of the request is not anticipated to result in late night nuisance activity or contribute to the area's crime rate.

The subject grant has been conditioned to allow the Director's designee to require a Plan Approval application to evaluate the operations of the project if documentation is submitted showing that the project is not in compliance with the approved conditions. A record of poor compliance and/or nuisance complaints would allow the City the discretion to not grant a conditional use and thus avoid the need to proceed with prolonged nuisance abatement proceedings. The project has been conditioned to prevent negative impacts and integrate the use into the community as well as protect community members from adverse potential impacts. As such, the proposed restaurant and hotel with the sale of a full line of alcoholic beverages will be compatible with the surrounding development and will not adversely affect the welfare of the surrounding community.

iii. **The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.**

The following sensitive uses are located within 1000 feet of the project site:

- Selma Park (6561 West Selma Avenue)
- Selma Avenue Elementary School (6611 West Selma Avenue)
- Y.M.C.A. (6560 West Selma Avenue)
- Blessed Sacrament Church (6660 West Selma Avenue)
- King's Education (1555 Cassil Place)
- First Baptist Church (6682 Selma Avenue)

The proposed restaurant and hotel are located within the proximity of sensitive uses, including residential development. While the proposed restaurant and hotel proposes the sale of alcoholic beverages for on-site consumption, it is anticipated that the sale and consumption will be ancillary to the primary operations of the proposed restaurant and hotel. The site is located within a developing commercial corridor along Selma Avenue and in the Regional Center Commercial, which has long been a center of entertainment in the City. With the conditions referenced herein, the impacts of the on-site consumption and dispensing of a full line of alcoholic beverages would be reduced and will not detrimentally affect nearby residentially zoned or developed communities and other sensitive uses within the area.

9. **Zoning Administrator's Adjustment Findings.** In order for an adjustment from the zoning regulations to be granted, all of the legally mandated findings delineated in Section 12.28 of the Los Angeles Municipal Code must be made in the affirmative:

   a. **While site characteristics or existing improvements make strict adherence to the zoning regulations impractical or infeasible, the project nonetheless conforms with the intent of those regulations.**

   The Project Site is an L-shaped site with 65 feet of frontage along the western side of Wilcox Avenue and approximately 200 feet of frontage along the northern side of Selma Avenue. The northeastern portion of the site extends 185 feet to the north, midblock between Wilcox Avenue and Cahuenga Boulevard, as shown in the map below. The northeastern portion of the site is developed with an existing commercial building with a partially constructed subterranean structure. The Project proposes to complete the construction of the subterranean structure, to be utilized for parking, and to construct a new eight-story building. While the building will be located primarily on the western portion of the site, a portion of the building would be constructed over the existing building along Selma Avenue, which will be maintained as part of the Project.

   Pursuant to the LAMC Section 12.14 C,2 and 12.22 A,18, a building would be required to provide five-foot side yard, with one additional foot added for every story over the second story. For the rear yard, the Zoning Code requires a minimum fifteen-foot setback, with one additional foot added for every story over the third story. As an eight-story building, the Project is required to provide an eleven-foot northerly side yard and a twenty-foot easterly rear yard setback. The applicant has requested an adjustment to permit a reduced northerly side yard setback of ten feet and a reduced easterly rear yard setback of nineteen feet.

   As proposed and requested, the Project would comply with the setback requirements of a seven-story building. However, as the rooftop will include a covered rooftop bar and lounge seating area and will be used for other amenities, it is considered an eighth story. The rooftop includes outdoor amenities such as a pool and amenity deck and an uncovered bar and lounge seating area. Along the northern elevation, fully enclosed structures are limited to roof structures and storage, which would otherwise be permitted to be located at the perimeter of the building. Outdoor seating areas which are located along the northern elevation are further setback from the perimeter of the building and are buffered with a landscape planter. Along the eastern elevation, the rooftop amenities and fully enclosed structures are setback further than the required twenty feet and the requested nineteen feet. The second through seventh stories would observe the requested nineteen feet, which is consistent with the required rear yard setback of a seven-story building. As such, the provided yards would still conform to the intent of the provisions to not obstruct light or ventilation on any of the adjoining properties.

   b. **In light of the project as a whole including any mitigation measures imposed, the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.**

   The L-shaped site is located at the northeast corner of Selma Avenue and Wilcox Avenue, with 65 feet of frontage along Wilcox Avenue and 200 feet of frontage along Selma Avenue. The proposed building has largely been configured to be oriented along Selma Avenue. As described in Finding No. 9.a, the second through seventh story would observe a reduced northerly side yard of ten feet and a reduced easterly rear yard of

nineteen feet. To the north, the adjacent property is developed with a surface parking lot. To the west, the adjacent property is developed with a ten story hotel. As designed, the reduced yards would provide an adequate setback to maintain access to light and ventilation for existing and future developments on adjacent properties. Additionally, a Mitigated Negative Declaration (Case No. ENV-2016-2602-MND) was prepared for the proposed Project. The mitigation measures identified in the MND have been incorporated as enforceable conditions of approval. The mitigation measures, in conjunction with conditions of approval related to the size, height, and operations of the proposed Project would ensure that the Project as a whole would be compatible with and would not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety.

c. **The project is in substantial conformance with the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan.**

The Project Site is located within the Hollywood Community Plan, with a land use designation of Regional Center Commercial. The applicant has requested a Vesting Zone Change and Height District Change from C4-2D to (T)(Q)C2-4D. The Project proposes to maintain the existing commercial building and to complete construction of the subterranean parking structure and to construct a new eight-story building. The building would consist of a 1,939 square-foot restaurant and a 114 guest room hotel. The hotel would include a lobby bar and rooftop amenities such as a pool, rooftop bars with both outdoor and indoor bar and lounge seating areas. With the approval and adoption of the requested Vesting Zone Change and Height District Change, the Project would be in substantial conformance with the purpose, intent and provisions of the General Plan and the Hollywood Community Plan, as described in Finding Nos. 2 through 5. The site is not located within a specific plan area.

10. **Site Plan Review Findings.** In order for the site plan review to be granted, all three of the legally mandated findings delineated in Section 16.05-F of the Los Angeles Municipal Code must be made in the affirmative:

a. **The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.**

The Project Site is located within the Hollywood Community Plan, with a land use designation of Regional Center Commercial. The site is presently developed with a one-story commercial building and partially constructed subterranean parking structure on the northeastern portion of the site. The recommended Vesting Zone and Height District Change to (T)(Q)C2-2D would permit the construction of the approximately 89-foot tall, eight-story building on the western portion of the site and the maintenance of the existing building on the northeastern portion of the site. The Project would continue operations of the existing restaurant, and proposes a new 1,939 square-foot restaurant and a 114 guest room hotel. The hotel would have a ground floor lobby bar, and would include additional amenities on the rooftop such as a pool and bar and lounge area. The Project has been conditioned to require parking spaces to be constructed for the immediate installation and use of EV Chargers, as well as for future use, and for the installation of solar panels to an operating photovoltaic system. As discussed in Finding Nos. 2 through 6, the Project would redevelop an underutilized site with uses that are compatible with the existing development in the surrounding area and would be in substantial conformance with the objectives and policies of the General Plan and the Hollywood Community Plan.

b. The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.

The Project proposes to construct an approximately 89-foot tall, eight-story building with three-levels of subterranean parking. The Project would maintain the existing one-story building which is currently operating as a restaurant, and proposes a new 1,939 square-foot restaurant and a 114 guest room hotel. The existing restaurant would maintain the existing entryway along Selma Avenue. The proposed restaurant, located directly at the corner of Selma Avenue and Wilcox Avenue would have a separate entrance on Selma Avenue, but would also be accessible from an interior entrance from the hotel reception area. The proposed building would be constructed over three levels of subterranean parking, which would be accessible from a driveway located along Wilcox Avenue. It is intended that a valet drop off/pick up area will be provided along Selma Avenue and Wilcox Avenue to park the cars either on-site or at the off-site parking location. Short term bicycle parking is proposed within the public right-of-way along Selma Avenue and Wilcox Avenue and long term bicycle parking is proposed on the first subterranean level.

c. Any residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The hotel use is defined as a residential use due to the habitable rooms; however, it is not required to provide open space pursuant to LAMC Section 12.21 G as there are no dwelling units proposed. Although recreational and service amenities are not required, the hotel will provide amenities for hotel guests such as use of the rooftop deck, which includes a swimming pool. As conditioned, the Project would installed electric vehicle charging stations for five percent of the required parking provided on-site and the installation of an operational photovoltaic system (solar) that will offset the electrical demand of the EV chargers and other on-site electrical uses. The electric vehicle charging spaces and solar panels will improve habitability for residents and neighboring properties by reducing the level of greenhouse gas emissions and fuel consumption from the project site, in spite of increased parking capacity, through encouraging the use of low or zero emission vehicles. The EV ready parking spaces will also provide guests and patrons who use an electric vehicle a direct service amenity.

Environmental Findings

11. **Environmental Finding.** A Mitigated Negative Declaration (MND), along with mitigation measures and a Mitigation Monitoring Program (ENV-2016-2602-MND), was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA). Comments were received from members of the public stating that the MND fails to adequately analyze impacts of the Project related to air quality, greenhouse gases, and traffic. No technical studies were submitted with the comments which were received. The MND analyzes the potential impacts of the Project from two baselines referred to as the Original Baseline and the Current Baseline. The Original Baseline analyzes the Project's potential impact as it existed at the time of submittal of Case No. ENV-2015-2672-MND. The Current Baseline analyzes the Project's potential impact as the site currently exists. Projects in the surrounding area have been identified and analyzed as part of the MND. The MND incorporates mitigation measures to address identified impacts under both baselines. On the basis of the whole of the record before the lead agency including any comments received, the lead agency finds that, with imposition of the mitigation measures described in the MND there is no substantial evidence that the proposed project will have a significant

effect on the environment. The attached Mitigated Negative Declaration reflects the lead agency's independent judgement and analysis. The records upon which this decision is based are with the Environmental Review Section of the City Planning Department in Room 750, 200 North Spring Street.

12. **Flood Insurance.** The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that this project is located in Zone C, areas of minimal flooding.